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Rules of Governmental Agencies

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1993

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 16, 1992	Dec. 23, 1992	1	(Mon.) Jan. 4, 1993	June 22, 1993	June 29, 1993	28	July 9, 1993
Dec. 23, 1992	Dec. 30, 1992	2	Jan. 8, 1993	June 29, 1993	July 6, 1993	29	July 16, 1993
Dec. 30, 1992	Jan. 5, 1993	3	Jan. 15, 1993	July 6, 1993	July 13, 1993	30	July 23, 1993
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Jan. 12, 1993	Jan. 19, 1993	5	Jan. 29, 1993	July 20, 1993	July 27, 1993	32	Aug. 6, 1993
Jan. 19, 1993	Jan. 26, 1993	6	Feb. 5, 1993	July 27, 1993	Aug. 3, 1993	33	Aug. 13, 1993
Jan. 26, 1993	Feb. 2, 1993	7	(Tues.) Feb. 16, 1993	Aug. 3, 1993	Aug. 10, 1993	34	Aug. 20, 1993
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June 15, 1993	June 22, 1993	27	July 2, 1993	Dec. 21, 1993	Dec. 28, 1993	2	Jan. 7, 1994

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Relative Home Placement
- 2) Code Citation: 89 Ill. Adm. Code 335
- 3) Section Numbers: Proposed Action:
335.208 New
- 4) Statutory Authority: Section 5 of the Children and Family Services Act (Ill. Rev. Stat. 1991, ch. 23, par. 5005) [20 ILCS 505/5]

5) A Complete Description of the Subjects and Issues Involved: When children must be placed in foster care, the first preference of the Department is to place children in the care of relatives, whenever possible. This is usually less traumatic for the children, facilitates contact with the parents, and strengthens the children's sense of family. The vast majority of these relatives are not licensed foster care providers. In order to encourage the relative family's active participation in the approval process, the Department is proposing a two-tier payment approach.

Relatives will receive an initial payment amount at a lesser rate until the basic materials necessary to begin the approval process have been received by the Department. At the point the relative family has submitted the materials necessary to begin the required review and approval of the home, the rate will be increased retroactively to the foster care payment amount. These increased payments will become effective on the date the Department placed the child in the relative home.

6) Will this proposed new section replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date: Yes ☐ No ☒
If "yes", date: _____

8) Does this proposed new section contain incorporations by reference? No.

9) Are there any other amendments pending on this Part? Yes.

Section Numbers	Proposed Action	Illinois Register Citation
335.100	Amend	16 Ill. Reg. 12254
335.102	Amend	16 Ill. Reg. 12254
335.200	New	16 Ill. Reg. 12254
335.204	Amend	16 Ill. Reg. 12254
335.206	New	16 Ill. Reg. 12254
335.300	Amend	16 Ill. Reg. 12254

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- 335.304 Amend 16 Ill. Reg. 12254
- 335.310 Amend 16 Ill. Reg. 12254
- 335.312 Amend 16 Ill. Reg. 12254
- 335.314 Amend 16 Ill. Reg. 12254
- 335.316 Amend 16 Ill. Reg. 12254
- 335.318 Amend 16 Ill. Reg. 12254
- 335.320 Amend 16 Ill. Reg. 12254
- 335.326 Amend 16 Ill. Reg. 12254
- 335.328 Amend 16 Ill. Reg. 12254
- 335.330 Amend 16 Ill. Reg. 12254
- Appendix A New 16 Ill. Reg. 12254

10) Statement of Statewide Policy Objectives: These rules do not create or expand a state mandate as defined in Section 3 (b) of the State Mandates Act (Ill. Rev. Stat. 1991, ch. 85, par. 2203) [30 ILCS 805/3].

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. Comments should be submitted to:

Jacqueline Nottingham, Chief
Office of Rules and Procedures
Department of Children and Family Services
406 East Monroe, Station # 222
Springfield, Illinois 62701-1498

217/524-1983 TDD 217/524-3715

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

12) Initial Regulatory Flexibility Analysis: Not applicable

The full text of the Proposed New Section begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER b: PROGRAM AND TECHNICAL SUPPORT

PART 335

RELATIVE HOME PLACEMENT

SUBPART A: GENERAL PROVISIONS

Section
335.100
335.102

Purpose
Definitions

SUBPART B: PLACEMENT

Placement Pre-Conditions
Continuation of Placement
Payment Provisions

335.200
335.202
335.208

SUBPART C: APPROVAL STANDARDS
FOR RELATIVE FAMILY HOMES

Provisions Pertaining To Approval
Safety Requirements for the Relative Family Home
Requirements For Sleeping Arrangements
Nutrition and Meals
Business and Employment of Relative Foster Parents (Repealed)
Qualifications of Related Caretakers
Background Inquiry
Health of Relative Family
Number of Children Served
Meeting Basic Needs of Related Children
Health Care of Related Children
Religion
Education
Discipline of Related Children
Emergency Care of Related Children
Release of Children
Confidentiality of Information
Required Written Consents
Records To Be Maintained
Cooperation with the Supervising Agency and the Department
Severability of This Part

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NOTICE OF PROPOSED AMENDMENTS

AUTHORITY: Implementing and authorized by Section 5 of the Children and Family Services Act (Ill. Rev. Stat. 1991, ch. 23, par. 5005) (20 ILCS 505/5).

SOURCE: Adopted at 10 Ill. Reg. 4513, effective April 1, 1986; amended at 16 Ill. Reg. 7633, effective April 30, 1992; amendments at 17 Ill. Reg. _____, effective _____.

SUBPART B: PLACEMENT

Section 335.208 Payment Provisions

a)

Relative caregivers who accept related children for full-time care are eligible for reimbursement for the care provided. Relatives who have accepted children for care on or after the effective date of this Part, but who have not yet submitted to the Department the items necessary to begin the process to become an approved relative family home, shall be reimbursed at the applicable rate for child only cases under the Aid to Families with Dependent Children (AFDC) program. Relatives who have submitted to the Department all of the items necessary to begin the approval process shall be reimbursed at the Department payment rate for regular foster care.

b)

The items necessary to begin the approval process and, therefore, to be eligible for reimbursement at the regular foster care rate are:

- 1) A completed and signed authorization for a background check for each adult living in the home;
 - 2) Two sets of completed fingerprint cards for each adult living in the home or a successful fingerprint scan via electronic equipment;
 - 3) A completed application for relative foster home approval which has been signed by the relative applicant(s) along with a completed family home information sheet.
- c) When all of the items in subsection (b) have been completed, signed and received by the Department, the payments for the related children in care shall be increased to the foster care payment rate appropriate for the ages of children placed in the home with the relative caregiver. This increase shall be effective retroactively to the date that the Department placed the children in the care of the relatives.
- d) If all of the items in subsection (b) have not been completed, signed, and received by the Department within 90 days of the date the

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Department placed the children in the care of the relatives, the children shall be moved to an alternative, appropriate placement.

(Source: Added at 17 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Administration of the Illinois Public Community College Act

2) Code Citation: 23 Ill. Adm. Code 1501

3) Section Numbers: Proposed Action:

1501.102 amendment
1501.105 amendment
1501.109 amendment
1501.110 amendment
1501.201 amendment
1501.202 amendment
1501.301 amendment
1501.302 amendment
1501.307 amendment
1501.309 amendment
1501.406 amendment
1501.501 amendment
1501.503 amendment
1501.505 amendment
1501.507 amendment
1501.516 amendment
1501.607 amendment
1501.703 amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 122, pars. 102-4 [110 ILCS 805/2-4]; 102-1 [110 ILCS 805/2-1]; 102-12 [110 ILCS 805/2-12]; 102-16.2 [110 ILCS 805/2-16.2]

5) A Complete Description of the Subjects and Issues Involved: The major portion of the amendments are proposed to eliminate a number of reports formerly required of the community colleges, to define laboratory and internship/practicum instructional settings, and to make technical revisions to the Board's administrative rules. These amendments are proposed as a part of the Board's productivity initiative. Also proposed are additional instances when a community college may claim for credit hour grant reimbursement a student who repeats a course. These additional instances include when a student had previously been enrolled in a course but withdrew prior to being claimed for funding; when a student was previously enrolled in a course and withdrew before completing the course and was claimed for funding, in which case the college could claim the student one additional time; when a student returns to the college under the

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provisions of the educational guarantee program; and when a student was last enrolled in the course at least four years prior to the current enrollment period if the student repeats the course to upgrade his/her skills in that area. Finally, amendments are proposed to provide the standards the Board will utilize when approving or disapproving community college cooperative agreements and when discontinuing community college programs as required by Public Act 87-1023.

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501

ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This proposed rule does not create or enlarge a state mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

Christine Merrifield, Deputy Director
Illinois Community College Board
509 South Sixth Street, Room 400
Springfield, Illinois 62701-1874
Telephone: (217) 785-0085

12) Initial Regulatory Flexibility Analysis: Not Applicable

The full text of the Proposed Rules begins on the next page:

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section

- 1501.101 Definition of Terms
- 1501.102 Advisory Groups
- 1501.103 Rule Adoption (Recodified)
- 1501.104 Manuals
- 1501.105 Advisory Opinions
- 1501.106 Executive Director
- 1501.107 Information Request (Recodified)
- 1501.108 Organization of ICCB (Recodified)
- 1501.109 Appearance at ICCB Meetings
- 1501.110 Appeal Procedure
- 1501.111 Reporting Requirements (Repealed)
- 1501.112 Certification of Organization (Repealed)
- 1501.113 Administration of Detachments and Subsequent Annexations
- 1501.114 Recognition

SUBPART B: LOCAL DISTRICT ADMINISTRATION

Section

- 1501.201 Reporting Requirements
- 1501.202 Certification of Organization
- 1501.203 Delineation of Responsibilities
- 1501.204 Maintenance of Documents or Information
- 1501.205 Recognition Standards (Repealed)

SUBPART C: PROGRAMS

Section

- 1501.301 Definition of Terms
- 1501.302 Units of Instruction, Research, and Public Service

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1501.303 Program Requirements
 1501.304 Statewide and Regional Planning
 1501.305 College, Branch, Campus, and Extension Centers
 1501.306 State or Federal Institutions (Repealed)
 1501.307 Cooperative Agreements and Contracts
 1501.308 Reporting Requirements
 1501.309 Course Classification and Applicability

SUBPART D: STUDENTS

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 1501.401 Definition of Terms
 1501.402 Admission of Students
 1501.403 Student Services
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Section
 1501.501 Definition of Terms
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 1501.506 Published Financial Statements
 1501.507 Credit Hour Grants
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 1501.509 Workforce Preparation Grants
 1501.510 Reporting Requirements
 1501.511 Chart of Accounts
 1501.514 Business Assistance Grants (Repealed)
 1501.515 Advanced Technology Equipment Grants
 1501.516 Capital Renewal ~~Repair and Renovation~~ Grants
 1501.517 Retirees Health Insurance Grants
 1501.518 Uncollectible Debts

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SUBPART F: CAPITAL PROJECTS

Section
 1501.601 Definition of Terms
 1501.602 Approval of Capital Projects
 1501.603 State Funded Capital Projects
 1501.604 Locally Funded Capital Projects
 1501.605 Project Changes
 1501.606 Progress Reports (Repealed)
 1501.607 Reporting Requirements
 1501.608 Approval of Projects in Section 3-20.3.01 of the Act
 1501.609 Completion of Projects Under Section 3-20.3.01 of the Act
 1501.610 Demolition of Facilities

SUBPART G: STATE COMMUNITY COLLEGE

Section
 1501.701 Definition of Terms
 1501.702 Applicability
 1501.703 Recognition
 1501.704 Programs
 1501.705 Finance
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 1501.707 Facilities

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Section
 1501.801 Definition of Terms
 1501.802 Sabbatical Leaves

AUTHORITY: Implementing and authorized by Articles II and III and Section 6-5.3 of the Public Community College Act (Ill. Rev. Stat. 1991, ch. 122, pars. 102-1 et seq., pars. 103-1 et seq., and par. 106-5.3)[110 ILCS 805/2-1 et seq., 805/3-1, and 6-5.3]

SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984;

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emergency amendment at Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. 14904, effective September 12, 1989; emergency amendment at 14 Ill. Reg. 299, effective November 9, 1989, for a maximum of 150 days; emergency amendment expired on April 9, 1990; amended at 14 Ill. Reg. 4126, effective March 1, 1990; amended at 14 Ill. Reg. 10762, effective June 25, 1990; amended at 14 Ill. Reg. 11771, effective July 9, 1990; amended at 14 Ill. Reg. 13997, effective August 20, 1990; amended at 15 Ill. Reg. 10929, effective July 11, 1991; amended at 16 Ill. Reg. 12445, effective July 24, 1992; amended at 16 Ill. Reg. 17621, effective November 6, 1992; amended at 17 Ill. Reg. 1853, effective February 2, 1993; amended at 17 Ill. Reg. _____, effective _____.

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section 1501.102 Advisory Groups

- a) Advisory Organizations. Independent organizations may be considered by the ICCB to be advisory upon petition to the State Board. Independent organizations so recognized by the ICCB as "advisory" will have the opportunity to bring matters before the ICCB during each regular ICCB meeting and will have an opportunity to provide advice to the ICCB on proposed rule and policy adoptions and matters of interest to community colleges. An advisory organization may have its recognition status withdrawn by action of the ICCB or by request of the organization. Advisory organization recognition may be granted by the ICCB at the request of an organization which meets the following criteria:

- 1) The organization exists independently of the ICCB and any individual college;
- 2) A primary purpose of the organization is to deal with matters of systemwide importance; and

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- 3) Representatives of Illinois community college districts are included as voting members of the organization.
- b) Advisory Committees - Standing. Standing advisory committees to the ICCB will be authorized and appointed by the ICCB. Membership and terms of appointment shall be established at the time of authorization.
- c) Advisory Committees - Ad Hoc. The Executive Director is authorized to appoint ad hoc advisory committees to advise the ICCB staff on specific projects. The terms of appointment shall be for one (1) year or less.
- d) Student Advisory Committee
 - 1) Purpose. The purposes of this committee are to:
 - A) Review proposed ICCB policies.
 - B) Inform the ICCB of systemwide issues that impact the education of community college students.
 - C) Select the ICCB Student Member.

- 2) Membership. Each member of the Student Advisory Committee shall be the nonvoting student member of the local district board of trustees or designee if the nonvoting student member is unable to serve. The ICCB Student Member will serve ex officio.

- 3) Appointment. SAC members shall be appointed each year by the ICCB from nominees submitted by the local district board of trustees.

- 4) Length of Term. SAC members shall serve a term of one year, beginning on July 1 of each year and expiring on the next succeeding June 30.

- 5) Chairman. The SAC shall select a Chairman at the first meeting by a majority vote of members present. If the Chairman is absent from any meeting, the membership shall select a Chairman Pro Tem by a majority vote of members present. The Chairman shall preside at all meetings of SAC. The Chairman's duty will be to assist the SAC in achieving its purpose as stated in Section 1501.102d1. The Executive Director of the ICCB shall call SAC meetings at

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least once each quarter and notify each local district board of trustees at least 30 days in advance.

6) Reimbursement. Reimbursement for actual and necessary meeting expenses of SAC members will be in accordance with Section 2-7 of the Act.

7) ICCB Meetings. The SAC report shall be given at regular ICCB meetings.

e) Selection of ICCB Student Member. The SAC will seek applications for the ICCB Student Member from all Illinois public community colleges. The application shall include information such as personal information (name and address), number of credit hours (current and expected), college and community activities, resume, letters of reference, and rationale for desiring the position. The ICCB Student Member shall be elected before June 1 by a majority vote of SAC members present from all applicants who meet ICCB student membership requirements as delineated in Section 1501.102f.

f) Membership Requirements of ICCB Student Member. The ICCB Student Member shall be enrolled in an Illinois public community college for a minimum course load of six (6) semester or quarter credit hours during both the fall and spring semesters (fall/winter/spring quarters) for each term of his/her appointment. If the course load of the ICCB Student Member falls below the minimum credit hours, that member shall be replaced by a majority vote of the SAC members present at the next SAC meeting.

g) Length of Term of ICCB Student Member. The ICCB Student Member shall serve for a term of one (1) year beginning on July 1 and expiring on June 30. No ICCB Student Member shall serve for more than two terms ~~be reappointed to a second term~~. Service during a partial term shall not be considered as one term.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 1501.105 Advisory Opinions

The ICCB will provide advisory opinions regarding interpretation of the Act to community colleges upon the request of the President or Chairman of the Board and with the approval of the ICCB Chairman and Executive Director. Such opinions also will be provided to recognized

advisory organizations upon request of the chairman of each group, subject to the approval of the ICCB Chairman and Executive Director.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 1501.109 Appearance at ICCB Meetings

With at least seven (7) days prior written notice to the Chairman or the Executive Director of the ICCB and with the concurrence of the Chairman, a representative of any college or the public at large may bring matters to the attention of the ICCB or provide comment on matters already before the ICCB. The written notice requirement may be waived by the Chairman.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 1501.110 Appeal Procedure

Any ICCB decision, not otherwise covered by a specific appeal procedure, may be appealed within thirty (30) days of the decision by submitting a written request for reconsideration of the decision to the ICCB Chairman. The Chairman shall review the request and place it on the agenda of the next regularly scheduled meeting of the ICCB. The appellant may make both oral and written presentations to the ICCB at the time the decision is reconsidered.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

SUBPART B: LOCAL DISTRICT ADMINISTRATION**Section 1501.201 Reporting Requirements**

Complete and accurate reports shall be submitted by the district/college to the ICCB in accordance with ICCB requirements and on forms provided by the ICCB, where applicable.

Listed below is the schedule of due dates indicating when items from the community colleges are due at the Illinois Community College Board office.

January 1 - construction project status reports [see Section 1501.607(a)]

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- January 31 - certificate of tax levy [see Section 1501.510(e)]
- February 15 - ~~community education and community services survey and winter quarter/spring semester enrollment survey~~ [see Section 1501.406(a)]
- December 15 - ~~faculty and staff characteristics data~~ [see Section 1501.308(a)]
- April 1 - ~~spring quarter enrollment survey~~ [see Section 1501.406(b)]
- May 30 - occupational follow-up study data for specified curricula [see Section 1501.406(c)]
- July 1 - ~~annual community education and community services survey~~ [see Section 1501.406(e)]
- ~~construction project status reports~~ [see Section 1501.607(a)]
- ~~summer enrollment survey~~ [see Section 1501.406(b)]
- August 1 - special populations grant report [see Section 1501.508(d)]
- ~~workforce preparation economic development~~ grant report [see Section 1501.509(f)]
- advanced technology equipment grant report [see Section 1501.515(d)]
- Resource Allocation and Management Plan (RAMP/CC) [see Section 1501.510(a)]
- program review report [see Section 1501.303(d)]
- program review listing [see Section 1501.303(d)]
- credit hour certification, final report (see Section 2-16 of the Public Community College Act)
- annual student enrollment and completion data [see Section 1501.406(a)]
- September 1 - application for recognition for specified colleges [see Section 1501.202(d)]
- ~~underrepresented groups~~ report [see Section 1501.406(d)]
- September 15 - unit cost data [see Section 1501.510(b)]
- confirmation of ICCB grants and district credit hours by the external auditor [see Section 1501.503(b)]
- October 1 - tax revenue survey [see Section 1501.510(c)]
- fall enrollment survey [see Section 1501.406(b)]

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- October 15 - fall enrollment data [see Section 1501.406(a)]
- annual salary data for faculty and staff [see Section 1501.308(b)]
- external audit [see Section 1501.503(a)]
- special populations grant audit [see Section 1501.503(a)]
- ~~workforce preparation economic development~~ grant audit [see Section 1501.503(a)]
- advanced technology equipment grant audit [see Section 1501.503(a)]
- fiscal year budget (see Section 1501.504)
- certificate of chargeback [see Section 1501.503(a) 1501.505(a)]
- unexpended special populations grant funds [see Section 1501.508(f)]
- unexpended workforce preparation ~~economic development~~ grant funds [see Section 1501.509(h)]
- ~~out-of-district tuition calculation~~ [see Section 1501.505(a)]
- November 1 - audit/unit cost reconciliation statement [see Section 1501.510(d)]
- December 1 - annual financial statements and notice of publication (see Section 1501.506)
- December 15 - ~~faculty and staff characteristics data~~ [see Section 1501.308(a)]
- 30 days after the end of each term - course resource data and credit hour claims [see Section 1501.606(b) and Section 1501.507(a)]
- 60 days after the end of the fall term - inventory of facilities [see Section 1501.606(c)]
- (Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 1501.202 Certification of Organization

Within five working days after the convening of the newly elected board or the new board as provided in Section 3-8 of the Act, the chairman of the board of trustees shall certify in writing to the ICCB that the board of trustees has been organized. The certification shall include the name of the chairman, vice chairman, and the secretary and state the time and place of regular meetings. If the board, by resolution, establishes a policy for the terms of office to be one year,

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instead of the normal two years, or provides for the election of officers for the remaining one year, a copy of this resolution shall also accompany the certification.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

SUBPART C: PROGRAMS

Section 1501.301 Definition of Terms

Associate Degree. An "Associate Degree" is an award for satisfactory completion of a curriculum of 60 semester credit hours or more.

Associate in Arts Degree. An "Associate in Arts Degree" is an award for the satisfactory completion of a prescribed curriculum intended to transfer to baccalaureate degree programs in one of the arts, humanities, or social or behavioral sciences or one of the professional fields with these disciplines as a base.

Associate in Science Degree. An "Associate in Science Degree" is an award for the satisfactory completion of a prescribed curriculum intended to transfer to baccalaureate degree programs in one of the mathematical, biological, or physical sciences or one of the professional fields with these disciplines as a base.

Associate in Applied Science Degree. An "Associate in Applied Science Degree" is an award for the satisfactory completion of a prescribed curriculum intended to prepare individuals for employment in a specific field.

Associate in General Studies Degree. An "Associate in General Studies Degree" is an award for the satisfactory completion of a curriculum that has been individually designed by mutual agreement between the student and his/her college-appointed advisor to meet the student's educational intent.

Branch. A "branch" is an administrative unit of a college that has a continuing educational mission and serves as a secondary instructional site for the college.

Campus. A "campus" is an organized administrative unit of a college that has a continuing educational mission and serves as a primary instructional site for the college.

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Certificate. A "certificate" is an award for satisfactory completion of a series of courses or curriculum of 50 semester credit hours or less.

General certificate. A "general certificate" is an award for satisfactory completion of a series of courses of 30 semester credit hours or less in adult basic education, adult secondary education, remedial education, vocational skills, or general studies.

Occupational certificate. An "occupational certificate" is an award for satisfactory completion of a prescribed curriculum intended to prepare an individual for employment in a specific field.

Clinical Laboratory. In a clinical setting, a lab is a learning situation in which students work individually or in small groups using a variety of equipment and materials for the essential purpose of understanding principles, gaining experimental evidence, solving problems, and acquiring manipulative skills. Instruction generally takes place in a hospital or related facility. A licensed certified teacher is present at all times. "Practice" involves actual patients.

College. A "college" is a district's administrative unit that is authorized by the Illinois Board of Higher Education to grant postsecondary-level degrees and certificates, is recognized by the ICCB, and provides a comprehensive program of instruction in accordance with Section 101-2e of the Act.

Course. A "course" is a sequential presentation, through one or more instructional modes, of subject matter in a particular field to meet specific objectives within a designated time period, such as a semester or a quarter.

Curriculum. A "curriculum" is an approved unit of instruction consisting of a series of courses designed to lead to an associate degree or a certificate.

General Studies. A "General Studies" curriculum consists of courses designed to meet individual student goals, in the promotion of personal improvement and self-understanding.

Remedial Education. "Remedial Education" consists of courses in computation, communication (i.e., writing and speaking), and reading, designed to improve the competency of high school graduates, or those persons achieving high school equivalency through standardized testing, to the level necessary for placement into communication and mathematics courses required of first-year college students.

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Remedial courses reiterate basic skills that students were expected to have mastered prior to entry into postsecondary education.

Adult Basic Education. An "Adult Basic Education" curriculum consists of basic skills courses designed to bring students to a competency of eighth-grade equivalency, including English as a Second Language instruction to a level of eighth-grade equivalency.

Adult Secondary Education. An "Adult Secondary Education" curriculum consists of courses designed to bring students to a competency of twelfth-grade equivalency, including English as a Second Language courses through the twelfth-grade equivalency and General Educational Development (GED) examination preparation.

District Curriculum. A "district curriculum" is a curriculum approved for offering within a district, on the basis of student interest, employment demand, and available resources within a district.

Regional Curriculum. A "regional curriculum" is a curriculum approved for offering within a planning region, on the basis of student interest and employment demand within the region.

Statewide Curriculum. A "statewide curriculum" is a curriculum approved for offering on the basis of student interest and employment demand statewide.

Educational Agency. An "educational agency" is an agency, corporation, or other defined legal entity which offers instruction.

Extension Center. An "extension center" is an instructional site for the college that is used for offering some of the college's courses and/or programs for a limited duration.

Internship/Practicum. An "internship/practicum" is a course of planned and supervised training which allows the application of theory to actual practice and prepares a student for working independently in a specific career. The internship/practicum generally occurs after the student has completed 12 credit hours. It takes place at a regular worksite and instruction is provided by an employee at the worksite.

Laboratory. A "laboratory" is a course of planned and supervised training in which students observe and/or apply methods or principles to controlled situations. A lab class

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can occur at the beginning, middle, or end of a particular course of study. A lab is held in a regular classroom where instruction is provided by a college instructor.

Principal Site. The principal site is the official mailing address of the college.

Public Service. "Public service" consists of noncredit classes and other activities of an educational nature, such as workshops, seminars, forums, exhibits, and the provision of college facilities and expertise to the community designed to be of service to the public.

Research. "Research" consists of investigations or experiments to discover or interpret facts, to revise accepted theories, or to apply such revised theories.

Secondary School. A "secondary school" shall be used to mean private or parochial secondary school, public secondary school district, or public unit school district.

Unit of Instruction. A "unit of instruction" is any one of the following:

- An organized program of study consisting of a sequence of courses that results in the award to a student of a certificate or an associate degree.
- Any existing organized program of study offered at a new geographical location outside of the college district.
- Any organized administrative entity that would have a continuing instructional mission, including but not limited to a college, campus, or branch.

Unit of Research or Public Service. A "unit of research or public service" is a college's subdivision such as a division, institute, or center, that administers one (or more) research or public service program.

Vocational Skills. "Vocational Skills" consists of courses designed to provide short-term job entry training, to upgrade the skills of persons already employed, or to review skills for career re-entry.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

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Section 1501.302 Units of Instruction, Research, and Public Service

- a) Approval of New Units of Instruction. Each proposed new unit of instruction shall be submitted to the ICCB for approval. The criteria for approval of new units of instruction are:
 - 1) Mission and Objectives.
 - A) The objectives of the unit of instruction are consistent with the mission of the college as set forth in Section 1-2(e) of the Public Community College Act.
 - B) The objectives of the unit of instruction are consistent with what the title of the unit of instruction implies.
 - 2) Academic Control.
 - A) The design, conduct, and evaluation of the unit of instruction are under the direct and continuous control of the college's established processes for academic planning and quality maintenance, and clear provision is made for ensuring a high level of academic performance of faculty and students.
 - B) The admission, course placement, and graduation requirements for the unit of instruction are consistent with the stated objectives of the unit of instruction and with Section 3-17 of the Act where applicable.
 - 3) Curriculum. The content of the curriculum ensures that the objectives of the unit of instruction will be achieved.
 - A) The range of total number of credit hours required for completion of an associate degree curriculum shall be within the following parameters:
 - i) For the Associate in Arts degree and the Associate in Science degree, a total requirement of not less than 60 semester credit hours nor more than 64 semester credit hour equivalent;

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- ii) For the Associate in Applied Science degree, a total requirement of not less than 60 credit hours nor more than 72 semester credit hours or the quarter credit hour equivalent, except in such occupational fields in which accreditation or licensure by a state or national organization requires additional coursework; and
 - iii) For the Associate in General Studies degree, a total requirement of not less than 60 semester credit hours nor more than 64 semester credit hours or the quarter credit hour equivalent.
- B) Each associate degree curriculum shall include a specific general education component consisting of coursework in communication, arts and humanities, social and behavioral sciences, and mathematics and science within the following parameters:
- i) For the Associate in Arts degree and the Associate in Science degree, the general education component required will represent at least 60 percent of the total number of credit hours for completion;
 - ii) For the Associate in Applied Science degree, the general education component required will represent no less than 25 percent nor more than 50 percent of the total number of credit hours required for completion; and
 - iii) For the Associate in General Studies degree, the general education component required will represent no less than 30 percent of the total number of credit hours required for completion.
- 4) Faculty and Staff.
- A) The academic preparation and experience of faculty and staff ensure that students receive education consistent with the objectives of the unit of instruction.
 - B) The involvement of faculty in the unit of instruction is sufficient to cover the various fields of knowledge encompassed by the curriculum, to sustain scholarship appropriate to the unit of instruction, and to ensure curriculum continuity.

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- C) Support personnel, including counselors, administrators, clinical supervisors, and technical staff, have the educational background and experience necessary to carry out their assigned responsibilities.
- 5) Support Services.
 - A) Facilities, equipment, and instructional resources (e.g., laboratory supplies and equipment, instructional materials, computation equipment) necessary to provide quality instruction will be available and maintained.
 - B) Library holdings and acquisitions necessary to support quality instruction and scholarship are available, accessible, and maintained.
 - C) Provision is made for the guidance and counseling of students, the evaluation of student performance, the continuous monitoring of progress of students toward their degree or certificate objectives, the placement of completers of the unit of instruction, and appropriate academic recordkeeping.
- 6) Financing.
 - A) The financial commitments to support the unit of instruction are sufficient to ensure that stated objectives can be attained and that the faculty, staff, and support services necessary to offer the unit of instruction can be acquired and maintained.
 - B) Projections of revenues necessary to support the unit of instruction are based upon supportable estimates of general revenue, student tuition and fees, private gifts, and/or governmental grants and contracts.
- 7) Public Information.

The information that the college provides to students and the public accurately describes: the unit of instruction offered; the objectives of the unit of instruction; length of the unit of instruction; residency requirements, if any; schedule of tuition, fees, and all other charges and expenses necessary for completion of the unit of instruction; cancellation and refund policies; and such other material facts concerning the college and the unit of instruction as are likely to affect the decision of the student to enroll.

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- 8) Accreditation and Credentialing.
 - A) Appropriate steps have been taken to ensure that accreditation of the proposed new unit of instruction will be granted in a reasonable period of time.
 - B) The proposed new unit will provide the skills required to obtain individual credentialing (certification, licensure, registration) needed for entry into an occupation as specified in the objectives of the proposed new unit of instruction.
- 9) Program Needs and Priorities.
 - A) The unit of instruction must be educationally and economically justified based on the educational priorities and needs of the citizens of Illinois and the college's district.
 - B) The unit of instruction meets a need that is not currently met by units of instruction which are offered by other institutions in the district.
- b) Approval of New Administrative Units of Research or Public Service. An application for approval of each proposed new administrative unit of research or public service shall be submitted to the ICCB on forms provided by the ICCB. The criteria for approval of new administrative units of public service or research are:
 - 1) The proposed new administrative unit shall be authorized by the board of trustees.
 - 2) The objectives of the proposed new administrative unit are consistent with the mission of the college [see Section 1-2(e) of the Public Community College Act].
 - 3) The proposed new administrative unit shall meet a district's need to deliver a public service or research program that cannot be met through the district's current structure as indicated by an organizational chart.
 - 4) The proposed new administrative unit shall administer at least one public service or research program.

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- 5) The needs assessment demonstrates that the demand for the public service or research program to be administered by the proposed new unit will be continuous for at least three years.
- 6) The district shall provide evidence that the resources for the facilities, equipment and materials, and staff necessary to provide a quality program or service shall be made available to the proposed new administrative unit.
- c) Withdrawal. An approved unit of instruction, public service, or research may be withdrawn by the college when it decides to suspend operation of the unit. The withdrawal request shall be reported on forms supplied by the ICCB.
- d) Reasonable and Moderate Extensions.
 - 1) An approved unit of instruction, public service, or research may be modified by the college within the parameters listed in subsection (d)(2) through (4). The college shall notify the ICCB of such extensions on forms provided by the ICCB.
 - 2) Reasonable and moderate extensions of previously approved units of instruction include:
 - A) The addition, modification, or withdrawal of courses within an approved unit of instruction which does not alter the objectives of the unit of instruction;
 - B) A change in minimum credit hours for completion of an approved unit of instruction that does not affect the instructional level of the unit of instruction.
 - C) A change in title of an approved unit of instruction that does not indicate a different objective of the unit than that previously approved.
 - D) The creation of an option (major, concentration, or specialization) within an approved unit of instruction in which:
 - i) the option created is within the same general academic discipline or occupational field as the previously approved unit of instruction,

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- ii) the option created within a previously approved associate degree curriculum requires the same first-year sequence of courses as the previously approved unit of instruction, and
- iii) the option created does not substitute more than twelve (12) semester credit hours of other courses for courses previously approved as part of an associate degree curriculum or substitute more than six (6) semester credit hours of other courses for courses previously approved as part of a certificate curriculum of one year or more.
- E) The creation of certificate curricula from previously approved associate degree curricula, providing no new courses are added for certificates of up to thirty (30) semester credit hours or no more than six (6) semester credit hours are substituted in certificates of thirty (30) semester credit hours or more.
- 3) Reasonable and moderate extensions of previously approved units of research or public service include units with an annual operating expenditure from whatever source of less than \$250,000 or an annual operating expenditure from state appropriations of less than \$50,000.
- 4) Reasonable and moderate extensions of previously approved units of administration include any administrative reorganization of a college.
- e) Approval in a Multicollage District. Approval of new units of instruction, research, or public service in a multicollage district will be for a specific college. Transfer of a unit to, or duplication of a unit by, other colleges within the district constitutes a new unit requiring approval by the ICCB. However, up to nine (9) hours of a program approved at one college may be offered by any other college in the district at the option of the Board.
- f) When a college no longer offers an approved unit of instruction to additional new students, that unit of instruction shall be reported to the ICCB and shall be removed from the college catalog and other documents advertising the program offerings to the public.

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- 1) An inactive unit of instruction shall be maintained on the ICCB Curriculum Inventory File with the date that it became inactive for a period of at least ten years. The effective date that a unit of instruction becomes inactive shall be determined by the college.
- 2) A unit of instruction that has been inactive for less than three years may be reactivated by the college once it has completed the following:
 - A) Obtained approval to reactivate the program from its chief executive administrator.
 - B) Obtained approval to reactivate the program from agencies that license, certify, or accredit the program, if appropriate.
 - C) Submitted a notification to the ICCB.
- 3) A unit of instruction that has been inactive for three to ten years may be reactivated by the Executive Director of the ICCB if the college has completed the following:
 - A) Obtained approval to reactivate the program from its chief executive administrator.
 - B) Obtained approval to reactivate the program from agencies that license, certify, or accredit the program, if appropriate.
 - C) Demonstrated thorough local surveys or state labor market data that the labor market demand and supply shows a need for graduates of the program.
 - D) Conducted a review of the program with representatives from business and industry including on-site visits and advice regarding current technologies and equipment.
 - E) Demonstrated, in accordance with subsections (a)(5), (a)(6) and Section 1501.510, that the college has adequate facilities, equipment, and financial resources to offer a quality program.

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- F) Demonstrated, in accordance with Section 1501.303(f), that the college has available qualified faculty to provide the instruction for the program.
- G) Submitted a request for the reactivation to the ICCB.
- 4) A unit of instruction that has been inactive for over ten years may be reactivated by following the new unit approval process described in subsection (a).
- g) Discontinuation of Programs. The ICCB may discontinue programs which fail to reflect the educational needs of the area being served as follows:
 - 1) Programs that do not meet standards of need, quality, and cost effectiveness may be discontinued by the ICCB. This determination shall be made based on review and collective findings of information available to the ICCB through ICCB and IBHE program review, evaluation, and productivity processes; the ICCB Management Information System; and other sources of pertinent information on the following criteria:
 - A) Program need, including educational priorities of the district, accessibility, credit hours generated, enrollments, completions, and labor market supply and demand.
 - B) Program quality, including job placement or education continuation, program content, academic control, faculty qualifications, and accreditation and credentialing.
 - C) Program costs, including adequacy of financial support and unit costs.
 - 2) The ICCB will utilize special state-level analyses to identify programs that appear to be of questionable need, cost, or quality based on state data. Programs identified through state-level analysis will be referred to the colleges to enable them to evaluate the programs in detail in their normal process and to obtain the results and comments from the local level.

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- 3) The ICCB will notify college districts of programs being considered for discontinuation and shall grant the district 60 days to respond to concerns regarding the program in question prior to action by the Board. This information shall be taken into account in determining if a program should be discontinued by the ICCB.
- 4) Once a program is discontinued by the ICCB and the appeal process is concluded, the college must inactivate the program by not enrolling any additional new students and develop a plan for an orderly discontinuation of the program for students currently enrolled. Programs discontinued by the ICCB may be reestablished by obtaining approval as a new unit of instruction under section 1501.302(a).

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 1501.307 Cooperative Agreements and Contracts

Cooperative agreements and contracts with other Illinois educational agencies and those out of state may be established for the purpose of providing more accessible instructional services to students and increasing efficiency in the use of educational resources, subject to the following conditions:

- a) A new unit of instruction to be offered by a community college solely through a cooperative agreement or contract with another educational agency is subject to approval by the ICCB as indicated in Section 1501.302.
- b) Agreements with Secondary Schools. If a community college enters into a cooperative agreement or contract with a secondary school to provide advanced or specialized secondary-level courses in either the academic or vocational field, the college shall charge the secondary school the per capita cost of offering such instruction, in which case the college shall not claim ICCB credit hour grants for these secondary school students, or the college shall charge the secondary school for secondary school student participation in accordance with a joint agreement between the college and the secondary school district under Section 10-22.20a of the School Code. When charges are made pursuant to a joint agreement, credit hour grants may be claimed in accordance with Section 1501.507.

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- c) In-District Cooperative Agreements for Instruction. A community college district may enter into in-district ~~Any cooperative agreement or contractual arrangements entered into by a Board of Trustees~~ to provide educational programs or services within its district for previously approved units of instruction, ~~research, or public service~~ upon approval by the ICCB. Copies of these contractual arrangements shall be kept on file at the district central administrative office. Criteria for the approval of in-district agreements for instruction shall be:
 - 1) accessibility of instruction to students
 - 2) labor market need
 - 3) cost-effectiveness in providing instructional programs
- d) Interdistrict ~~Inter-district~~ Cooperative Agreements for Instruction. A community college district may enter into interdistrict contractual arrangements ~~if a community college district enters into a cooperative agreement or contract with another community college district to accept students from the other district into one or more of its previously approved curricula on a reciprocal basis; enable its students to attend the other district's program(s)/course(s) upon approval by the ICCB.~~
 - 1) Criteria for the approval of interdistrict agreements for instruction shall be:
 - A) accessibility of instruction to students
 - B) labor market need
 - C) comprehensiveness of available programs for students
 - D) cost-effectiveness in providing instructional programs
 - E) impact on regional and statewide programs
 - F) impact on programs at neighboring community college districts

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- 2) ~~†~~The curricula included in the cooperative agreement ~~or contract~~ for instruction shall be listed in ~~both colleges' the catalogs of~~ the college that does not have the program but is making it available to its students through a contractual arrangement with another college. ~~and a~~ A copy of the listing shall be provided to the ICCB by July 1 ~~annually~~ kept on file at the district central administrative office.

- e) Out-of-District Cooperative Agreements for Instruction. A community college district may enter into contractual arrangements with other public or nonpublic institutions of higher education for the delivery of units of instruction upon approval by the ICCB. Criteria for approval of out-of-district agreements for instruction shall be:

- 1) accessibility of instruction to students
- 2) labor market need
- 3) comprehensiveness of available programs for students
- 4) cost effectiveness in providing instructional programs
- 5) impact on regional and statewide programs
- 6) impact on programs at neighboring community college districts

~~Extension of Credit Courses into Illinois Non-Community College District Territory. A college shall be granted approval annually to extend credit courses through a cooperative agreement or contract into non-community college district territory in Illinois provided such approval is requested on forms provided by the ICCB, and provided the college reports annually on such approved extensions on forms provided by the ICCB.~~

- f) Changes, revisions, or additions to cooperative agreements previously approved by the ICCB are reasonable and moderate extensions and must be reported to the ICCB prior to implementation.

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- g) Extension of Curricula/Credit courses into Another Community College District.

- 1) A community college may extend previously approved ~~curricula and~~ credit courses into another community college district with approval of the other community college district.

- 2) A community college may extend previously approved curricula into another community college district upon approval of the ICCB. Criteria for approval shall be:

- A) a request from the community college district in which the proposed extension is to be offered
- B) labor market need
- C) cost effectiveness in providing instructional programs
- D) adequacy of facilities and support services
- E) impact on regional and statewide programs
- F) impact on programs at neighboring community college districts

- 3) If a district in which military installations, correctional institutions, or other state or federal institutions are located elects not to provide previously approved units of instruction to these institutions, any other college may apply to the ICCB to do so. If more than one college applies, the ICCB will select a college using the following criteria:

- A) 1) The proximity of the college to the institution.
- B) 2) The availability at the college of the instructional units needed by the institution.
- C) 3) The cost of providing the instructional units for the institution.
- D) 4) The college's past experience in offering similar units of instruction.

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b) Extension of Curricula/Credit Courses Out of State. Curricula and credit courses offered at out-of-state locations (except for field trips and travel that are in conjunction with a course offered within the district) must have prior ~~annual~~ approval by the ICCB. A community college shall be granted ~~annual~~ approval to offer previously approved curricula and credit courses out of state, provided that it meets the following criteria:

- 1) A request for approval including information about the curricula and courses, location of the proposed extension, projected enrollments, and projected funding is submitted on forms provided by the ICCB.
- 2) The college shall identify how the extension will be used by student to complete degree or certificate programs.
- 3) If the extension is offered for out-of-state students, the college shall submit a copy of a written request from the group desiring the service and assurance that no state or local tax monies will be used to provide such extensions.
- 4) The college shall submit annual reports of its out-of-state extensions for the past fiscal year, on forms provided by the ICCB, by July 15 of each year.
- 5) The college shall request ~~annual~~ approval of its out-of-state extensions, on forms provided by the ICCB, prior to May 15 for the fiscal year beginning on the next July 1.
- 6) Deletion, modification, or addition of courses and curricula offered at out-of-state extensions previously approved by the ICCB are reasonable and moderate extensions and must be reported to the ICCB.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 1501.309 Course Classification and Applicability

- a) Course Classification. Information on courses for which credit is to be awarded shall be submitted to ICCB on forms provided by ICCB in order for the courses to be classified into appropriate instructional and funding categories and added to the college's Management Information System (MIS) Course Master File.

b) Course Credit Hour Determination.

- 1) Credit hours for courses for which ICCB credit hour grants are to be claimed shall be determined on the basis of an expected forty-five (45) hours of combined classroom/laboratory and study time for each semester hour or thirty (30) hours of such time for each quarter credit hour.
- 2) Courses with students participating in lecture/discussion- oriented instruction will be assigned one semester credit hour or equivalent for each fifteen (15) classroom contact hours of instruction per semester or equivalent. It is assumed that two (2) hours of outside study will be invested for each classroom contact hour.
- 3) Courses in which students participate in laboratory/clinical- laboratory-oriented instruction will be assigned one (1) semester credit hour or equivalent for each 30-45 classroom contact hours of instruction per semester or equivalent. It is assumed that one (1) hour of outside study will be invested for each two (2) laboratory contact hours.
- 4) Courses in which students participate in clinical laboratory instruction will be assigned one lecture hour for each three clinical laboratory hours.
- 5) Students who participate in internship, practicum, or on-the-job supervised instruction shall receive one (1) semester credit hour or equivalent for each 75-149 contact hours per semester or equivalent.
- c) Course Syllabus. A syllabus shall be developed and maintained for each credit course and shall be available to the public and students upon request. A syllabus contains the description of the course, specific objectives of the course, a topical outline, and the method for evaluating student performance.

- d) Course Applicability. All credit courses must be part of an approved unit of instruction (pursuant to Section 1501.302), and the approved unit of instruction for each course shall be indicated on the college's ICCB MIS Course Master File.

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- 1) Lower-Division Baccalaureate Courses. Courses designed to meet lower-division baccalaureate degree requirements shall be applicable to associate transfer degrees. For each baccalaureate course offered, the college shall maintain current written articulation agreements or transfer equivalency documents with:

- (A) at least three (3) Illinois public universities, or
- (B) at least three baccalaureate degree-granting institutions to which a majority (51%) of the college's students transfer, or

- (C) one or more baccalaureate degree-granting institutions to which a majority (51%) of the college's students majoring in the field for which the course is required transfer.

- 2) Remedial Course Credit. No remedial course credit shall be applicable to associate degrees designed for transfer to institutions granting baccalaureate degrees.

- 3) Adult Basic Education Course Credit. No adult basic education course credit is applicable to degrees or to certificates, except the Adult Basic Education Certificate.

- 4) Adult Secondary Education Course Credit. No adult secondary or college preparatory education course credit is applicable to degrees or certificates, except the Adult Secondary Education Certificate.

- 5) General Studies Course Credit. General studies course credit is applicable only to the Personal Development; Homemaking; Improving Family Circumstances; Intellectual and Cultural Studies; Community and Civic Development; and Health, Safety and Environment Certificates.

- e) Special Upper-Division Courses.

- 1) A college may offer any course that is offered by a university, regardless of numbering system, if the university normally permits its own students to take the course as lower-division students. Such courses will be eligible for ICCB grants, if they meet all other criteria.

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- 2) If at least three (3) public universities in Illinois agree, or if a public university which is the principal recipient of transfers from the community college agrees, certain special courses taught at the upper-division level may be offered by a college and be eligible for ICCB grants, provided they meet all other criteria.

- f) Independent Study. Independent Study course credit shall not exceed 25 percent of the credit hour requirements for a student to earn an associate degree. The topic of an independent study course shall be listed on the student's permanent academic record.

- g) Internships. An internship experience for credit that is designed to provide the student an opportunity to put into practice the theories and techniques learned in the classroom/laboratory shall be applicable to an associate degree or certificate, provided at least twelve (12) semester credit hours or equivalent in the corresponding curriculum are completed by the student prior to, or are taken by the student concurrently with, such experience.

- h) Courses Approved as Repeatable.

- 1) Courses in which the content varies from term to term or from student to student (e.g., independent study, special topics, and internship courses) or in which a student is expected to gain increased depth of knowledge and skill through repetition (e.g., music, speech, theatre, and journalism performance or production courses) shall, at the request of the college, be approved for repeatability under the following conditions:

- A) The number of times the course may be taken for credit does not exceed four semesters (or six quarters);

- B) The method of determining the amount of credit to be awarded for each section of the course, for each term, or for each student is specified in the college's catalog, on the course syllabus, and on the course classification form, and the subject matter and number of credits for which the student enrolled is specified on the student's permanent academic record;

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- C) The college's catalog, the course syllabus, and the course classification form requesting approval of repeatability by the ICCB indicate the number of such credits that will apply to degree or certificate completion for a single course or a combination of related courses; and
- D) The total number of credit hours for a single course or for a combination of related courses that are applicable to degree or certificate completion does not exceed the maximums established in subsection (e) governing independent study, subsection (b) governing credit hour determination, or Section 1501.507b10 governing the maximum rate of credit hour production.
- 2) A vocational skill course that persons employed in an occupation or vocation must retake periodically by law in order to maintain employment shall, at the request of the college, be approved for repeatability under the following conditions:
- A) The content of the course is determined by law and does not change from one year to the next, and
- B) A copy of the law (or regulation administering it) and a course syllabus accompanies the course classification form requesting repeatability.
- 3) An adult basic, or adult secondary, or a remedial education course that is organized into discrete modules and offered for variable credit shall, at the request of the college, be approved for repeatability under the following conditions:
- A) No discrete module is repeated more than three times,
- B) The title of each module completed and the grade received is permanently recorded on the student's academic record, and
- C) The content and number of credit hours for each discrete module is shown on the course syllabus and on the course classification form requesting approval of repeatability by the ICCB.

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- 4) An adult basic, adult secondary, or a remedial education course that is not organized into discrete modules shall, at the request of the college, be approved for repeatability under the following conditions:
- A) The number of times the course may be taken for credit does not exceed four times, i.e., repeatable three times.
- B) The variety of skill levels included in the course and the methods used to accommodate individual differences based on an assessment of student skills is specified in the course syllabus.
- C) The course title and the grade received is permanently recorded on the student's academic record each time that the course is taken.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

SUBPART D: STUDENTS

Section 1501.406 Reporting Requirements

Each college shall submit the items listed below in a format prescribed by the ICCB and according to the schedules indicated.

- a) Basic characteristics, including sex, date of birth, ethnic classification, and instructional area of enrollment, of each student enrolled in all courses offered for credit during each term within the following schedule:
- 1) Students enrolled as of the end of regular registration during the fall term shall be reported on or before October 1 of that year.
 - 2) Students enrolled and/or completing a certificate or degree program during the fiscal year shall be reported on or before August 1.
- b) Student headcount and full-time equivalent enrollments as of the end of regular registration for fall and spring/winter ~~each~~ terms within the following schedule:

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an annual program report, which provides a narrative description of programs offered, goals of the district, and student and staff data.

Attendance at Midterm. A student is "in attendance at midterm" in a course if the student is currently enrolled in and actively pursuing completion of the course.

Auditor. An auditor is a person who enrolls in a class without intent to obtain academic credit and whose status as an auditor is declared by the student, approved by college officials, and identified on college records prior to the end-of-registration date of the college for that particular term.

Business Assistance Centers and Workforce Preparation ~~Economic Development~~ Offices. Business assistance centers and workforce preparation ~~economic development~~ offices are entities at community colleges that conduct, coordinate, and assist with workforce preparation ~~economic development~~ activities.

Capital Renewal Grants. Capital renewal grants are state grants allocated proportionally to each community college district based on the latest fall on-campus nonresidential gross square feet of facilities as certified by the ICCB. Such grants are to be utilized for miscellaneous capital improvements such as rehabilitation, remodeling, improvement, and repair; architect/engineer services; supplies, fixed equipment, and materials; and all other expenses required to complete the work.

~~Economic Development Activities. Economic development activities create or retain jobs and increase employment opportunities.~~

~~Economic Development Grants. Economic development grants provide funds for conducting economic development activities.~~

~~Repair and Renovation Grants. Repair and renovation grants are state grants allocated proportionally to each community college district based on the latest fall on-campus nonresidential gross square feet of facilities as certified by the ICCB. Such grants are to be utilized for miscellaneous capital improvements including construction, reconstruction, remodeling, improvement, repair, and installation of capital facilities; cost of planning, supplies, equipment, materials, and services; and all other expenses required to complete the work.~~

Residency - Applicability-Verification of Status. As part of verification that its credit hours are eligible to receive ICCB grants, each community college district shall adopt a process for verifying the residency status of its students and shall file a description of this process with the ICCB by July 1, 1990. The process shall include the methods for verifying residency as defined in the general provisions, special state provisions, and district provisions of this subsection. Each district shall file descriptions of any revisions to its process with the ICCB prior to their implementation.

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1) ~~Summer Term:~~ On or before July 1

2) ~~Fall Term:~~ On or before October 1

3) ~~Winter Quarter:~~ On or before February 15

4) ~~Spring Semester:~~ On or before February 15

5) ~~Spring Quarter:~~ On or before April 1

c) Colleges shall conduct a follow-up study of all students who completed specified occupational/career curricula during the previous fiscal year and shall report the results of this study on or before May 30 of that year in a format prescribed by the ICCB. Curricula to be included in the study will be specified in the ICCB Occupational Follow-up Study Manual.

d) An annual report on underrepresented groups submitted on or before September 1.

e) An annual report on community education and community service activities submitted on or before July 1.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

SUBPART E: FINANCE

Section 1501.501 Definition of Terms

Advanced Technology Equipment Grant. The advanced technology equipment grant provides state funds to Illinois public community colleges for the procurement of equipment necessary to upgrade curricula impacted by technological changes. (See Section 2-16 of the Act.)

Annual Financial Statement. The "annual financial statement," which is required to be published by a district, consists of two parts:

an annual financial report, which includes a statement of revenues and expenditures along with other basic financial data; and

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Residency - General Provisions. The following provisions apply both to state and district residency definitions:

- To be classified as a resident of the State of Illinois or of the community college district, each student shall have occupied a dwelling within the state or district for at least 30 days immediately prior to the date established by the district for classes to begin.
- The district shall maintain documentation verifying state or district residency of students.
- Students occupying a dwelling in the state or district who fail to meet the 30-day residency requirement may not become residents simply by attending classes at a community college for 30 days or more.
- Students who move from outside the state or district and who obtain residence in the state or district for reasons other than attending the community college shall be exempt from the 30-day requirement if they demonstrate through documentation a verifiable interest in establishing permanent residency.

Residency - District Provisions. Students shall not be classified as residents of the district where attending even though they may have met the general 30-day residency provision if they are:

- federal job corps workers stationed in the district;
- members of the armed services stationed in the district;
- inmates of state or federal correctional/rehabilitation institutions located in the district;
- full-time students attending a postsecondary educational institution in the district who have not demonstrated through documentation a verifiable interest in establishing permanent residency; and
- students attending under the provisions of a chargeback or contractual agreement with another community college.

Residency - Special State Provisions. Students shall be classified as residents of the state without meeting the general 30-day residency provision if they are:

- federal job corps workers stationed in Illinois;

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- members of the armed services stationed in Illinois;
- inmates of state correctional/rehabilitation institutions located in Illinois; or
- employed full time in Illinois.

Special Populations Grant. A "special populations grant" provides funding for:

Special or extra services to assist special populations students to initiate, continue, or resume their education, including tutoring, educational and career counseling, referrals to external agencies, and testing/evaluation to determine courses or services needed by a special populations student.

Courses (not funded through credit hour grants) to provide the academic skills necessary to remedy or correct educational deficiencies to allow the attainment of educational goals, including remedial, adult basic education, adult secondary education, and English as a Second Language courses.

Special Populations Student. A "special populations student" is a student with a social, physical, developmental, or academic disability that makes it difficult for such a student to adapt to a college environment designed for the non-special populations student. This may include students from minority racial/ethnic groups. Colleges shall designate which of their students are special populations as determined by teacher and counselor evaluations and various standardized tests selected by the colleges.

Workforce Preparation Activities. Workforce preparation activities create or retain jobs and increase employment opportunities.

Workforce Preparation Grants. Workforce preparation grants provide funds for conducting workforce preparation activities.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 1501.503 Audits

- External Audits.

- Three (3) copies of the annual external audit shall be submitted to the ICCB on or before October 15, following the close of the fiscal year. If the audit cannot be completed by this date, the district may submit a request for extension of time to the Executive Director before October 1, following the close of the fiscal year. This request shall be accompanied by an explanation

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of the circumstances which cause the report to be delayed along with an estimated date for submission.

- 2) Each audit report shall contain financial statements composed of the funds established in Section 1501.511, a comment on internal control, a comment on basis of accounting, uniform financial statements prepared using the modified accrual basis of accounting, a certificate of chargeback verification and a state grant compliance section which shall include a schedule of enrollment data, a verification of enrollment data, a schedule of the district equalized assessed valuation and the statutory calendar year allocation of Corporate Personal Property Replacement Taxes for debt retirement, schedules for the restricted grants distributed by the ICCB and received by the district in the manner and format established by the ICCB, and a schedule of federal financial assistance and related reports as prescribed by the federal Office of Management and Budget.

A) The special populations grant schedules shall verify that special populations grant funds received by the district were expended in accordance with Section 1501.508(c) and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet. Multicampus districts shall submit a single report for the district which includes separate statements for each college as such relate to Section 1501.508(e).

B) The workforce preparation ~~economic-development~~ grant schedules shall verify that the ~~workforce preparation economic-development~~ grant funds received by the district were expended in accordance with Section 1501.509 and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

C) The advanced technology equipment grant schedules shall verify that the advanced technology equipment grant funds were expended in accordance with Section 1501.515 and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

D) The retirees health insurance grant schedules shall verify that the retirees health insurance grant funds were expended in accordance with Section 1501.517, and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

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- b) Confirmation of ICCB Grants and District Credit Hours. For the purposes of confirming district records, each district shall request that its external auditor request from the ICCB a report of grants received and reimbursable student credit hours generated by the district during the fiscal year. Each district shall notify its independent external auditing firm of this requirement and will instruct that firm to make the request using the format prescribed by the Board.

- c) After receipt of the external audit, the district shall reconcile its audited expenditures to previously submitted unit cost data. The reconciliation shall be submitted on forms provided by the ICCB.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 1501.505 Nonresident Non-Resident Student Tuition Calculations

- a) ~~The out-of-district tuition rate to be charged to the district of the student's residence shall be calculated as specified in Chapter 122, Section 106-2 of the Illinois Revised Statutes, 1994, and a copy of this calculation shall be submitted for each fiscal year to the ICCB on or before October 15 of that fiscal year.~~

- b) ~~The apportionment grant rate specified in the out-of-district tuition calculation prescribed in Section 106-2 of the Act shall be determined by dividing the district's current fiscal year's apportionment grants by the district's apportionment enrollment for the second past fiscal year.~~

- a) The depreciation rate used in the out-of-district tuition calculation for capital expenditures for equipment and temporary buildings shall be 12.5 percent each year for eight (8) years, and for permanent facilities 2 percent each year for fifty (50) years.

- b) The foreign student tuition rate shall be the same as out-of-state student tuition rate, as specified in Chapter 122, Section 106-4.1 of the 1991 Illinois Revised Statutes.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 1501.507 Credit Hour Grants

- a) Claims. Claims for credit hours shall be submitted within thirty (30) days after the end of each term on forms provided by the ICCB.

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- b) **Course Requirements.** Courses which produce credit hours eligible for ICCB grants shall satisfy the following requirements:
- 1) Courses shall be offered for the number of credit hours for which they are approved by the ICCB.
 - 2) Courses which have variable credit hours shall be claimed in specified increments only up to the maximum credit value approved for the course.
 - 3) Course data shall be posted to the permanent academic record of each student claimed.
 - 4) Courses shall be a part of units of instruction which have been approved by the ICCB, or the courses must be authorized extensions of existing units of instruction.
 - 5) Courses shall have specific written objectives.
 - 6) A course outline shall be available for review by any student or citizen.
 - 7) Courses shall have a method of evaluating student performance which follows the adopted college grading system.
 - 8) Courses shall follow the adopted college policies on student tuition.
 - 9) The following categories of physical education courses shall be the only ones to produce eligible credit hours:
 - A) Elective physical education courses;
 - B) Required courses for majors and minors in physical education, recreational leadership, and related programs;
 - C) Physical education courses in teacher education programs as required by the State Teachers Certification Board.
 - 10) Courses shall produce a maximum rate of one (1) semester credit hour or equivalent per week. Requests for exceptions to this part may be submitted to the ICCB. The criteria utilized by the ICCB for exceptions shall include:
 - A) documentation of need for an intensified or accelerated schedule;

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- B) student population identified with testing and/or screening to indicate special needs and/or competencies;
 - C) how courses are instructed, including schedule of classes, study time allotted for students, method of instruction and how students are evaluated;
 - D) time period of instructional activity and projected termination date;
 - E) procedures to evaluate the accelerated instructional activity.
- c) **Student Requirements.** The following requirements shall apply to students who generate credit hours eligible for ICCB grants:
- 1) Students shall be certified by their instructors as being in attendance at midterm by including a certification statement on the midterm class roster, signed and dated by the instructor.
 - 2) Students who complete a course with a passing grade by the end of the term and who were not certified as being in attendance at midterm by the instructor shall be considered as having been in attendance at midterm.
 - 3) Students shall be residents of the State of Illinois.
 - 4) Auditors or visitors in a course shall not produce eligible credit hours.
 - 5) Students who repeat enrollment in a course shall produce credit hours eligible for ICCB grants ~~only~~ when one of the following conditions is met:
 - A) If the student completed the course the first time of enrollment with less than a grade of C (or equivalent) ~~and the course is necessary to satisfy requirements for a degree or certificate~~ and if the student was claimed for credit hour grant funding, the student may enroll and be claimed in the course one additional time, or
 - B) If the student enrolled in the course previously and withdrew before completing the course, and if the student was claimed for credit hour grant funding, the student may enroll and be claimed in the course one additional time, or
 - C) If a student completed the course previously and was claimed for credit hour grant funding, the student may be claimed for retaking the course if the student uses his/her option to retake the course tuition free under the college's educational guarantee program, or

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D) If the last time the student completed the course was at least four years previously, the student may be claimed for credit hour grant funding if the student repeats the course to upgrade his/her skills in that area. or

B E) If a course has been approved by the ICCB to be repeated, the student may repeat the course and be claimed as often as approved by the ICCB.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

Section 1501.516 Capital Renewal Repair and Renovation Grants

a) Districts may apply annually to the ICCB for approval of capital renewal repair and renovation grant projects. Requests for ICCB approval of capital renewal repair and renovation grant projects shall be submitted using forms prescribed by the ICCB.

b) Expenditures of funds from this grant are limited to capital renewal repair and renovation projects that are within the scope of the definition of capital renewal repair and renovation grants contained in Section 1501.501.

c) Funds received from this grant shall be accounted for in the Operations and Maintenance Fund (Restricted) (see Section 1501.511a7).

d) Other sources of funding may be added to capital renewal repair and renovation grant funds to finance larger projects.

e) Projects shall be designed and constructed to meet all applicable facilities codes as specified in Section 1501.603f.

f) Authority to approve capital renewal repair and renovation grant projects is delegated to the ICCB or its Executive Director.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

SUBPART F: CAPITAL PROJECTS**Section 1501.607 Reporting Requirements**

Each college shall submit the items listed below in a format prescribed by the ICCB and according to the schedules indicated;

ILLINOIS COMMUNITY COLLEGE BOARD

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a) Progress reports of all construction projects by January 1 ~~and July 1~~ of each year.

b) Course resource data showing the facilities used by each course offered for credit during the fall term within thirty (30) days after the end of the term.

c) An inventory of its facilities and an update of this inventory annually as of the fall term within sixty (60) days after the end of the fall term.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

SUBPART G: STATE COMMUNITY COLLEGE**Section 1501.703 Recognition**

The standards used as a basis for evaluating SCC for recognition purposes are those identified in Section 1501.114 ~~Subpart B~~, except those excluded because of the applicability provisions of Section 1501.702. In addition, SCC shall be evaluated for its compliance with those rules identified in Sections 1501.704 through 707.

(Source: Amended at 17 Ill. Reg. _____, effective _____.)

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS1) Heading of the Part: Optometric Practice Act of 19872) Code Citation: 68 Ill. Adm. Code 13203) Section Numbers: Proposed Action:

1320.30	Amendment
1320.40	Amendment
1320.50	Amendment
1320.70	Amendment
1320.80	Amendment
1320.100	Amendment

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111, pars. 3903, 3910, 3913, 3916 and 3918 [225 80/3, 80/10, 80/13, 80/16 and 80/18].5) A Complete Description of the Subjects and Issues Involved:

This rulemaking designates the examination administered by the National Board of Examiners in Optometry (NBEO) as the examination required for licensure in Illinois.

The Continuing Education (CE) Section is amended to clarify how CE credits are awarded for required post-course evaluations.

Upon recommendation of the Illinois Optometric Licensing and Disciplinary Committee, language was added to require licensed optometrist who perform public service visual screenings to inform recipients in writing of the results and limitations of such screenings.

An addition to the Section pertaining to the practice of optometry defines "direct supervision" of any person assisting an optometrist.

6) Do these proposed amendments replace an emergency Rule currently in effect?
No7) Does this rulemaking contain an automatic repeal date? No8) Do these proposed amendments contain incorporations by reference? No9) Are there any other proposed Rules pending on this Part? No10) Statement of Statewide Policy Objectives (if applicable):

This rulemaking has no effect on local governments.

DEPARTMENT OF PROFESSIONAL REGULATION

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11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Interested Persons may submit written comments and views to:

Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

All comments received within 30 days of this issue of the Illinois Register will be considered. The comments of interested persons who submit a request to comment within 14 days of this issue will be considered if received within 30 days of such request.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: April 26, 1993.

B) Types of small businesses affected: Optometrists.

C) Reporting, bookkeeping or other procedures required for compliance:

Applicants for licensure will be required to have examination scores from the National Board of Examiners in Optometry (NBEO) submitted directly to the Department of Professional Regulation.

A licensed optometrist performing public service visual screenings will be required to inform the recipient in writing of the results and limitations of such screenings.

D) Types of professional skills necessary for compliance:

Skills in optometry are necessary for licensure.

The full text of the Proposed amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1320
OPTOMETRIC PRACTICE ACT OF 1987

SUBPART A: OPTOMETRY

Section	
1320.20	Approved Programs of Optometry
1320.30	Application for Examination Licensure
1320.40	Examinations
1320.45	Fees (Emergency Expired)
1320.50	Endorsement
1320.55	Renewals
1320.60	Inactive Status
1320.70	Restoration
1320.80	Continuing Education
1320.90	Minimum Eye Examination
1320.95	Minimum Equipment List
1320.100	Practice of Optometry
1320.110	Advertising
1320.120	Granting Variances

SUBPART B: TOPICAL OCULAR PHARMACEUTICALS

Section	
1320.200	Definitions and Standards
1320.210	Application for Certification
1320.220	Approved Pharmacological Training
1320.230	Approved Topical Ocular Pharmaceutical Agents
1320.240	Restoration of Certification
1320.250	Endorsement of Certificate
1320.260	Renewal of Certification
1320.270	Display of Certification

SUBPART C: GENERAL

Section	
1320.300	Fees
1320.310	Ancillary Licenses and Certificates

AUTHORITY: Implementing The Optometric Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, pars. 3901 et seq.) [225 ILCS 80/1 et seq.] authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 60(7)) [20 ILCS 2105/60(7)].

DEPARTMENT OF PROFESSIONAL REGULATION
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SOURCE: Adopted at 5 Ill. Reg. 5869, effective June 1, 1981; codified at 5 Ill. Reg. 11046; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; emergency amendment at 6 Ill. Reg. 2273, effective January 29, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 6 Ill. Reg. 10032, effective August 1, 1982; amended at 9 Ill. Reg. 1092, effective January 11, 1985; amended at 10 Ill. Reg. 7340, effective April 16, 1986; transferred from Chapter I, 68 Ill. Adm. Code 320 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1320 (Department of Professional Regulation) pursuant to P.A. 85-225 effective January 1, 1988, at 12 Ill. Reg. 1821; emergency amendment at 12 Ill. Reg. 1925, effective January 1, 1988, for a maximum of 150 days; emergency expired May 30, 1988; amended at 12 Ill. Reg. 11447, effective June 27, 1988; amended at 13 Ill. Reg. 6994, effective April 25, 1989; amended at 14 Ill. Reg. 14128, effective August 15, 1990; amended at 17 Ill. Reg. _____, effective _____.

Section 1320.30 Application for ~~Examination~~ Licensure

a) ~~An applicant for examination to obtain~~ An individual applying for a license to practice optometry shall file an application, on forms supplied by the Department, ~~at least 60 days prior to the comprehensive practical examination date.~~ The application shall include:

- 1) a) Certification of graduation from an approved 4-year optometry graduate level program in accordance with Section 1320.20; ~~Such certification shall be received prior to sitting for the examination;~~
- b) Passage of the National Board of Examiners in Optometry (NBEO) examinations as set forth in Section 1320.40. The applicant shall have the examination scores submitted to the Department directly from NBEO;
- 2) c) A complete work history since graduation from an optometry program; and
- d) Certification of licensure from all United States jurisdictions in which the applicant has ever been licensed, if applicable, stating:
 - 1) the time during which the applicant was licensed in that jurisdiction, including the date of original issuance of the license;
 - 2) a description of the licensure examination in that jurisdiction;
 - 3) whether the file on the applicant contains any record of any disciplinary actions taken or pending.
- 3) e) The required fee set forth in Section 1320.300 of this Part.

DEPARTMENT OF PROFESSIONAL REGULATION

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- b) The applicant shall also cause a certified copy of the grades received on the examination given by the National Board of Examiners in Optometry (NBEO) to be forwarded by the National Board directly to the Department. The NBEO exam scores shall be received prior to a license being issued by the Department.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1320.40 Examinations

- a) The examination requirements are as follows: 1) for licensure as an optometrist in Illinois shall be successful completion of Part I, Part II and Part III of the examination administered by National Board of Examiners in Optometry Examination (NBEO); and

2) Successful completion of the comprehensive practical examination administered by the Department or its designated testing service.

- b) The passing grade on each section of the comprehensive practical examination shall be 75. If an applicant does not obtain a 75 on each section, he will be required to retake the entire comprehensive examination and again pay the required fee pursuant to Section 1320.300(a)(5).

- c) An applicant must direct NBEO to submit evidence of the successful completion of the entire NBEO examination, by NBEO standards, in order to qualify to take the practical examination to the Department.

- d) An applicant shall apply for licensure within 1 year of successful completion of the comprehensive practical examination or the examination scores for the comprehensive practical will be void.

- e) Upon adoption, the provisions of this Section shall apply to all applicants regardless of where the applicant is in the application process.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1320.50 Endorsement

- a) An applicant who is licensed under the laws of another United States jurisdiction shall file an application with the Department together with:

- 1) Certification of graduation from an approved optometry college;
- 2) A certification of licensure from all United States jurisdictions in which the applicant has ever been licensed, stating:

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- A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
- B) A description of the licensure examination in that jurisdiction;
- C) Whether the file on the applicant contains any record of any disciplinary actions taken or pending.

- 3) A copy of the acts and rules in effect at the time of original licensure;

- 4) Successful completion of the comprehensive practical examination set forth in Section 1320.40 or equivalent examination administered in another jurisdiction (e.g., similar subject matter); Part III of the examination administered by NBEO or a comprehensive practical examination administered in another jurisdiction equivalent to the comprehensive practical examination administered by the Department prior to July 1991;

- 5) A complete work history since graduation from an optometry program; and

- 6) The required fee as set forth in Section 1320.300.

- b) The Department shall examine each endorsement application to determine whether the requirements in each the United States jurisdiction at the date of licensure were substantially equivalent to the requirements then in force in this State. The Department shall within a reasonable time either issue a license by endorsement to the applicant or notify him/her of the reasons for the denial of the his application.

- c) The Department may, in individual cases, upon recommendation of the Committee in accordance with Section 11 of the Act, waive the comprehensive practical examination for an applicant for endorsement, after full consideration of his/her optometric education, training, and experience, including, but not limited to, whether he/she has achieved special honors or awards, has had articles published in professional journals, has participated in writing textbooks relating to optometry, and any other attribute which the Committee accepts as evidence that such applicant has outstanding and proven ability in optometry.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

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Section 1320.70 Restoration

- a) A licensee seeking restoration of ~~his~~ a license after it has expired or been placed on inactive status for more than 3 years shall file an application, on forms supplied by the Department, together with:

- 1) Proof of completion of the required number of continuing education (CE) hours for all prerenewal periods for which the license was expired or on inactive status as specified in Section 1320.80 of this Part. Acceptable proof of completion shall be in the form of certificates of attendance provided by sponsors of approved continuing education programs; and
- 2) The restoration fee(s), when restoring an expired license, specified in Section 1320.300(c)(1) of this Part; ~~or for the purpose of restoring from inactive status the Department shall consider that no renewal fees have lapsed during the period of inactive status.~~
- 3) The renewal fee(s), when restoring an inactive license, specified in Section 1320.300(b)(1) of this Part.

- b) In addition to satisfying the requirements of subsection (a) above the licensee shall also submit either:

- 1) Sworn evidence of active practice in another jurisdiction. ~~Such~~ The evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice;
- 2) An affidavit attesting to military service as provided in Section 16 of the Act. If application is made within two years of discharge, and if all other provisions of Section 16 of the Act are satisfied, the applicant will not be required to pay a restoration fee or any lapsed renewal fees; or
- 3) Evidence of other education or experience acceptable to the Department of the licensee's fitness to have ~~his~~ the certificate restored. Such evidence shall be reviewed on a case by case basis by the Committee; ~~or~~
- 4) Successful completion of the Part III comprehensive ~~practical~~ of the examination administered by the Department ~~or its designated testing service NBEQ.~~

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- A) ~~The passing grade on each section of the comprehensive practical examination shall be 75. If an applicant does not obtain a 75 on each section, he will be required to retake the entire comprehensive practical examination and again pay the required fee pursuant to Section 1320.300(a)(5).~~

- B) The Committee may, in its discretion and in individual cases, make a recommendation to the Director for the waiver of the ~~comprehensive~~ the clinical skills examination or Part III of the examination in accordance with Section 11 of the Act based on quality of education, training and experience including, but not limited to, special honors and awards, articles published in optometry journals, written or participated in the writing of textbooks in optometry or any other circumstances or attribute which the Committee accepts as evidence that such applicant has outstanding and proven ability in optometry.

- c) A licensee seeking restoration of ~~his~~ a license which has expired or been on inactive status for less than 3 years, or has been placed in nonrenewed status for failure to comply with continuing education (CE) requirements shall file an application on forms provided by the Department, together with:

- 1) Proof of completion of the required number of continuing education hours for all prerenewal periods for which the license was on inactive status as specified in Section 1320.80 of this Part. Acceptable proof of completion shall be in the form of certificates of attendance provided by sponsors of approved continuing education programs; and
- 2) The restoration fee(s) specified in Section 1320.300 of this Part. For the purpose of restoring from inactive status the Department shall consider that no renewal fees have lapsed during the period of inactive status.

- d) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is reasonably questioned by the Department, because of a lack of information, discrepancies or conflicts in information given, or a need for clarification, discrepancies or conflicts in information, ~~needing further clarification, and/or missing information,~~ the licensee seeking restoration of ~~his~~ the license will be requested to:

- 1) provide such information as may be necessary; and/or
- 2) ~~explain such relevance or sufficiency during an oral interview; or~~

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- 2) appear for ~~additional oral~~ an interview(s) before the Committee when the information available to the Committee is insufficient ~~sufficient~~ to evaluate the individual's current competency to practice under the Act. Upon the recommendation of the Committee, and approval by the Department, an applicant shall have ~~his~~ the license restored.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1320.80 Continuing Education

a) Continuing Education Hour Requirements

- 1) Every renewal applicant shall complete 24 hours of Continuing Education (CE) relevant to the practice of optometry required during each prerenewal period. A prerenewal period is the 24 months preceding March 31 in the year of the renewal. ~~For the renewal period ending March 31, 1990, the prerenewal period will be February 1, 1988, to March 31, 1990.~~

- 2) A renewal applicant is not required to comply with CE requirements for the first renewal following the original issuance of the license.

- 3) Optometrists licensed in Illinois but residing and practicing in other states must comply with the CE requirements set forth in this Section.

b) Approved Continuing Education

- 1) All continuing education hours must be earned by verified ~~Verified~~ attendance at or participation in a program which is offered by an approved continuing education sponsor who meets the requirements set forth in subsection (c).

- 2) For the March 31, 1992, renewal and every renewal thereafter, as part of the 24 hours of required continuing education, each licensee shall be required to complete during each prerenewal period at least 6 hours of credit for each ~~prerenewal period~~ which is certified by an approved optometry college in accordance with Section 1320.20 of this Part, osteopathic or medical college or university pursuant to the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989 1991, ch. 111, par. 4400-1 et seq.) [225 ILCS 60/1 et seq.] or a pharmacy college pursuant to the Pharmacy Practice Act (Ill. Rev. Stat. 1991, ch. 111, par. 4121 et seq.) [225 ILCS 85/1 et seq.]

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- A) Each certified course shall be include at least 2 hours of actual course presentation in duration in which the individual is in actual attendance and shall include the successful completion of a post-course evaluation of the attendee's understanding of the course material. A maximum of one half hour additional credit will be given for the required post course evaluation.

- i) The post-course evaluation may be taken on-site immediately following the course presentation. An examination distributed on-site shall not be removed from the site. ~~Credit may be given for time spent on the post-course evaluation.~~

- ii) The post-course evaluation may be a correspondence evaluation mailed to the attendee and returned to the provider. The sponsor shall not distribute a post-course evaluation at the site.

- iii) At the sponsor's discretion, the attendee may be allowed one retake of a failed post-course evaluation in order to receive credit as certified continuing education.

- B) Licensees who attend a certified education course without successful completion of a post-course evaluation may apply actual course hours toward fulfillment of the additional continuing education requirements as set forth in subsection (b)(1) and (b)(3).

- C) Any approved continuing education sponsor ~~or employer~~ may offer, in conjunction with the above-referenced college or university, a certified course.

- D) Transcript quality continuing education courses shall be deemed equivalent to the certified course if they meet the requirements set forth in subsection (2)(A) above.

- E) Continuing education sponsors shall state in their course materials the type of post-course evaluation which will be given and whether the applicant will be allowed to retake the evaluation.

- F) Certified continuing education courses shall be courses in which the attendees are in actual attendance. No self instruction or correspondence courses shall be considered certified continuing education courses.

- 3) Eighteen (18) hours of CE credit may be earned as follows ~~and accepted for certified CE~~:

- A) A maximum of 12 hours per prerenewal period for papers

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prepared and delivered before recognized optometric organizations, papers published in nationally recognized optometric journals, or a chapter in a book of optometry, each appropriately verified.

- B) A maximum of 12 hours per prerenewal period for verified teaching of students at an optometry school approved by the Department, or practicing optometrists in CE programs approved by the Department. One hour of teaching at an optometry school approved by the Department is equal to one hour of continuing education.
- C) A maximum of 2 hours per prerenewal period for verified self-instruction by means of individual use of audio-visual materials which is sponsored or cosponsored by any previously approved, optometry college, institution or national, state or local optometry association or organization similar to the foregoing.
- D) A maximum of 4 hours per prerenewal period for courses in practice management which includes business management.
- E) A maximum of 2 hours of continuing education in cardiopulmonary resuscitation may be earned per prerenewal period.

4) For only one prerenewal period for the duration of an optometry license in Illinois, a licensee may take a 4 hour certified continuing education course in cardiopulmonary resuscitation to satisfy 4 of the 6 hours of certified continuing education required in subsection (b)(2) above.

5) ~~E)~~ Continuing education credit hours used to satisfy the CE requirements of another state may be submitted for approval for fulfillment of the CE requirements of the State of Illinois.

6) ~~F)~~ Credit shall not be given for courses taken in Illinois from unapproved sponsors.

c) Continuing Education Sponsors and Programs

- 1) Sponsor, as used in this Section, shall mean a person, firm, association, corporation, or any other group which has been approved and authorized by the Department upon the recommendation of the Committee to coordinate and present continuing education courses or programs.
- 2) A sponsor shall file a sponsor application, along with the required fee set forth in Section 1320.300(a)(7), which certifies:

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- A) that all courses and programs offered by the sponsor for CE credit will comply with the criteria in subsection (c) and all other criteria in this Section;
 - B) that the sponsor will be responsible for verifying attendance at each course or program, and provide a certificate of completion as set forth in subsection (b);
 - C) that upon request by the Department, the sponsor will submit such evidence as is necessary to establish compliance with this Section. Such evidence shall be required when the Department has reason to believe that there is not full compliance with the statute and this Part and that this information is necessary to ensure compliance; and
 - D) that each sponsor shall submit to the Department a written notice of a course offering 30 days prior to the course date. The notice shall include the description, location, date and time of the course to be offered.
- 3) Each sponsor shall submit by March 31 of each even numbered year a sponsor application along with the required fee set forth in Section 1320.300(b)(5) of this Part. With the application the sponsor shall be required to submit to the Department a list of all courses and programs offered in the prerenewal period, which includes a description, location, date and time the course was offered.
- 4) All courses and programs shall:
- A) contribute to the advancement, extension and enhancement of professional clinical skills and scientific knowledge in the practice of optometry.
 - B) provide experiences which contain scientific integrity, relevant subject matter and course materials; and
 - C) be developed and presented by persons with education and/or experience in subject matter of the program.
- 5) The tuition fees charged for programs conducted by approved sponsors shall be reasonable and directly related to the sponsor's actual expense in conducting the programs.
- 6) All programs given by approved sponsors shall be open to all licensed optometrists and not be limited to the members of a single organization or group and shall specify the number of CE hours and category(s) that may be applied toward Illinois CE requirements for licensure renewal.

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7) Certificate of Attendance

A) It shall be the responsibility of the sponsor to provide each participant in a program with a certificate of attendance signed by the sponsor. The sponsor's certificate of attendance shall contain:

- i) The name and address of the sponsor;
- ii) The name and address of the participant and their optometry license number;
- iii) A detailed statement of the subject matter;
- iv) The number of hours actually attended in each topic;
- v) The date of the program.

vi) Whether the course qualifies for certified continuing education and if the post-course evaluation was passed or failed.

B) The sponsor shall maintain these records for not less than 5 years.

8) The sponsor shall be responsible for assuring verified continued attendance at each program. No renewal applicant shall receive CE credit for time not actually spent attending the program.

9) Upon the failure of ~~any~~ a sponsor to comply with any of the foregoing requirements, the Department, after notice to the sponsor and hearing before and recommendation by the Committee (see 68 Ill. Adm. Code 1110), shall thereafter refuse to accept for CE credit attendance at or participation in any of ~~such~~ that sponsor's CE activities programs until such time as the Department receives reasonably satisfactory assurances of compliance with this Section.

d) Continuing Education Earned in Other States. If a licensee has earned CE hours in another state or territory for which he/she will be claiming credit toward full compliance in Illinois, the applicant shall submit an application along with a \$10 processing fee within 90 days of completion of the course. The Committee shall review and recommend approval or disapproval of this program using the criteria set forth in this Section.

e) Certification of Compliance with CE Requirements

1) Each renewal applicant shall certify, on the ~~his~~ renewal application, ~~to~~ full compliance with ~~the~~ CE requirements set forth in subsection (a) above.

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- 2) The Department may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance.
- 3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified and may request an interview with the Committee, at which time the Committee may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 16 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989 1991, ch. 127, par. 4046 1010.65) [5 ILCS 100/10-65].

f) Waiver of CE Requirements

1) Any renewal applicant seeking renewal of his/her license without having fully complied with these CE requirements shall file with the Department a renewal application, the renewal fee set forth in Section 1320.300, a statement setting forth the facts concerning such non-compliance, and a request for waiver of the CE requirements on the basis of such facts. If the Department, upon the written recommendation of the Committee, finds from such affidavit or any other evidence submitted, that good cause has been shown for granting a waiver, the Department shall waive enforcement of such requirements for the renewal period for which the applicant has applied.

2) Good cause shall be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable prerenewal period because of:

- A) Full-time service in the armed forces of the United States of America during a substantial part of such period; or
- B) Extreme hardship, which shall be determined on an individual basis by the Committee and shall be limited to documentation of:
 - i) an incapacitating illness documented by a currently licensed physician,
 - ii) a physical inability to travel to the sites of approved programs, or
 - iii) any other similar extenuating circumstances.

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- 3) If an interview with the Committee is requested at the time the request for such waiver is filed with the Department, the renewal applicant shall be given at least 20 days written notice of the date, time and place of such interview by certified mail, return receipt requested.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

Section 1320.100 Practice of Optometry

- a) The practice of optometry as defined in Section 3 of the Act shall include, but not be limited to, the following functions:

- 1) Prescribing and fitting of any ophthalmic lenses including contact lenses.
- 2) Retinoscopy.
- 3) Tonometry.
- 4) Keratometry.
- 5) Subjective Lens Testing.
- 6) Phoria testing.
- 7) Biomicroscopy.
- 8) Ophthalmoscopy.
- 9) Electronic or computerized examination techniques that utilize devices that perform any of the above functions.
- 10) Visual screening.
- 11) The diagnosis of anomalies of the eye, adnexa and the visual system.

b) Visual Screening

- b+) 1) Nothing in this Section shall prohibit visual screening conducted by a charitable organization or governmental agency, acting in the public welfare under the supervision of a committee composed of persons licensed by the State to practice optometry or medicine in all of its branches.
- e+) 2) Visual screening is defined as a limited series of ocular observations, measurements or tests to determine if a complete eye ~~ment~~ of determining the visual acuity and visual skills of an individual to determine if a complete examination, as described in Section 1320.90, by a licensed optometrist or a physician licensed to practice medicine in all of its branches is recommended.
- 3) When a licensed optometrist performs public service visual screenings or visual screenings for governmental agencies, the recipient of the screening shall be clearly informed in writing of the following:
 - A) Results and limitations of the screening;

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- B) That the screening is not representative of or a substitute for an eye exam;
 - C) That the screening will not result in a prescription for visual correction; and
 - D) That visual screening referral criteria for a complete eye examination must meet accepted optometric professional standards criteria.
- e+) No ophthalmic lenses, prisms, or contact lenses may be sold or delivered to an individual without a prescription signed by a licensed optometrist or a physician licensed to practice medicine in all of its branches.

e+) The following acts shall not be performed by an individual not licensed in this State as an optometrist or to practice medicine in all of its branches except while acting under the direct supervision of a person so licensed:

- 1) Conducting or performing examinations of the human eye or its appendages employing either objective or subjective means, or both for the purpose of adapting contact lenses to the eyes of any person;
- 2) Using instruments or appliances of any type to determine the curvatures of the eye or of the cornea of any person for the purpose of ordering or supplying contact lenses for such person;
- 3) Determining, selecting or specifying the lens characteristics or the lens curvatures of contact lenses to be supplied to any person;
- 4) Converting, altering, or varying in any manner a prescription for contact lenses prepared by an optometrist or a person licensed to practice medicine in all its branches in this State;
- 5) Converting, altering, or varying in any manner a prescription for spectacles prepared by an optometrist or a person licensed to practice medicine in all of its branches in this State for the purpose of converting such prescription for spectacles into a prescription for contact lenses;
- 6) Inserting, removing, adjusting or adapting contact lenses for the purpose of selecting, specifying or furnishing contact lenses for use by any person;
- 7) Conducting or performing any examination of the human eye or its appendages employing either objective or subjective means or both for the purpose of determining the effects which may have resulted from wearing contact lenses by any person;

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- 8) Where a person has been provided with contact lenses pursuant to a prescription by an optometrist or a person licensed to practice medicine in all of its branches in this State, adjusting, adapting or changing the lens characteristics or the lens curvatures of such contact lens in any manner whatsoever;
- 9) Advertising, representing or informing the general public by any means, including, but not limited to, display advertising in newspapers and telephone directories within the State of Illinois, that he will fit, or adapt contact lenses for the use of any person.

e) Direct supervision of any person assisting an optometrist means:

- 1) The optometrist personally performs those procedures requiring professional judgment. Professional judgment requires that the optometrist shall perform as outlined, but not be limited to, those procedures for the diagnosis of anomalies of the eye, adnexa, and the visual system, including for example, biomicroscopy, ophthalmoscopy and prescribing or fitting of any ophthalmic lenses including contact lens.
- 2) The optometrist authorizes the procedures performed by the assistant;
- 3) The optometrist remains in the facility while the assistant performs the procedure (does not mean that the optometrist must be present with the patient while the delegated procedures are being performed).
- 4) The optometrist approves the work performed by the assistant before dismissal of the patient.

- f) Requirements for the minimum eye exam as outlined in Section 1320.90 are still applicable and are not changed or altered by the above provisions.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Claiming Races
- 2) Code Citation: 11 Ill. Adm. Code 510
- 3) Section Numbers: 510.30
510.200
Proposed Action:
Amendment
Amendment
- 4) Statutory Authority: ILCS 1992, ch. 230, sec. 5/1 et seq.
- 5) A complete description of the subjects and issues involved: This rulemaking changes the time frame in which a claimed horse may race at a different track than where claimed. This rule shortens the time frame in a claiming race, in which that horse is to be entered.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed amendments contain incorporation by reference? No.
- 9) Are there any other proposed amendments pending in this Part? Yes, Sections 510.220, submitted March 11, 1993
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:
All comments should be submitted in writing, within 30 days of this notice, to:

Illinois Racing Board, Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: April 15, 1993
- B) Types of small business affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the proposed amendment begins on the next page:

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER C: RULES APPLICABLE TO ALL OCCUPATION LICENSEES

PART 510

CLAIMING RACES

Section

510.10 Definition
510.20 Claiming Eligibility
510.30 Form and Deposit of Claim
510.40 Errors which Invalidate Claim
510.50 Refund of Voided Claim
510.60 Prohibited Action with Respect to Claim
510.70 Horses under Lien
510.80 Affidavit May be Required
510.90 Claimant's Responsibility
510.100 Claimed Horse's Certificate
510.110 Engagements of a Claimed Horse
510.120 Protests of a Claim
510.130 Title to a Claimed Horse
510.140 Distribution of the Purse
510.150 Delivery of a Claimed Horse
510.160 Trainer Responsibility for Post-Race Tests
510.170 Excusing Claimed Horse
510.180 Stable Eliminated by Fire or Other Hazard
510.190 Entering Claimed Horse
510.200 Claimed Horse Racing Elsewhere
510.210 Sale of a Claimed Horse
510.220 Illinois Rules Govern Claimed Horse
510.230 Extension of Regular Meeting
510.240 Claiming Authorization

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1989, ch.8, par 37-9(b)), ILCS 1992, ch. 230, sec. 5/1).

SOURCE: Adopted at 5 Ill. Reg. 1686, effective February 16, 1981; amended at 5 Ill. Reg. 8300, effective August 5, 1981; codified at 5 Ill. Reg. 10911; amended at 7 Ill. Reg. 2167, effective February 4, 1983; amended at 7 Ill. Reg. 3197, effective March 14, 1983; amended at 8 Ill. Reg. 14992, effective August 6, 1984; amended at 14 Ill. Reg. 17636, effective October 16, 1990. amended at 17 Ill. Reg. _____ effective _____

ILLINOIS REGISTER

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

Section 510.30 Form and Deposit of Claim

a) All claims shall be made in writing on a form provided by the Board. Claims shall be signed and sealed in an envelope having no identification mark except:

- 1) the name of the track;
- 2) the number of the race from which the claim is being made;
- 3) the stamp of a timing device provided by the track for that purpose no later than 15 10 minutes prior to the post time of the race in which the horse to be claimed is entered.

(Source: Amended at 17 Ill. Reg. _____ effective _____.)

Section 510.200 Claimed Horse Racing Elsewhere

No claimed horse shall race at any other race track until after the close of the race meeting at which it was claimed, or for 30 60 days, whichever is shorter, except to fulfill a stakes engagement or with the express written consent of the racetrack where it was claimed.

(Source: Amended at 17 Ill. Reg. _____ effective _____.)

DEPARTMENT OF AGRICULTURE

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

1) Heading of Part: Egg and Egg Products

rules are updated.

2) Code Citation: 8 Ill. Adm. Code 65

16) Information and questions regarding these adopted amendments

3) Section Numbers: Adopted Action:

shall be directed to:

65.10 Amended

Name: Barbara McGuire

65.100 Amended

Address: Illinois Department of Agriculture

65.130 Amended

State Fairgrounds, Springfield,

65.140 Amended

Illinois 62794-9281

65.150 Amended

Telephone: 217/782-7559

65.170 Amended

The full text of Adopted Amendments begins on the next page:

65.190 Amended

65.200 Amended

65.210 Amended

65.220 Amended

65.230 Amended

4) Statutory Authority: Ch. 56½, Par. 55-13 [410 ILCS 615/13]

5) Effective Date of amendments: April 27, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Does this proposed amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: April 22, 1993

9) Notices of Proposal Published in Illinois Register:

January 15, 1993, 17 Ill. Reg. 527

10) Has JCAR issued a Statement of Objections to these rules?
No

11) Differences between proposal and final version:

Technical changes accepted as recommended by Adm. Code and JCAR. Illinois Compiled Statute references have been added.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes

13) Will this amendment replace an emergency amendment in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of amendments: These amendments increase the egg inspection fee from 3 cents per cas to 5 cents per case. The citations to Illinois laws and federal

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS
(EXCEPT MEAT AND POULTRY INSPECTION ACT REGULATIONS)

PART 65
EGG AND EGG PRODUCTS ACT

Section	Definitions
65.10	Packaging Material, Master Containers, Packing Material and Consumer-Size Containers
65.20	Retail Labeling
65.30	Restrictions
65.40	Labeling of Containers
65.50	Advertising
65.60	Brand or Firm Name
65.70	Food Preparation
65.80	Holding Temperature
65.90	Application for License or Renewal; Revocation or Suspension of License
65.100	Licenses
65.110	Surety Bond or Certificate of Deposit
65.120	Required Forms and Records
65.130	Minimum Sanitation, Building and Labeling Requirements for Egg Breaking Establishments
65.140	Minimum Sanitation and Operating Requirements for Shell Egg Grading Plants, Not Under Federal Inspection, Engaged in the Grading, Storage, Packaging and Distribution of Eggs
65.150	Minimum Sanitation Requirements for Retailers and Institutional Consumers
65.160	Retail Egg Inspection
65.170	Enforcement
65.180	Restricted Eggs (Definition, Labeling, Handling, Disposition)
65.190	Denaturants
65.200	Egg Inspection Fee
65.210	Illinois Grade Standards
65.220	Administrative Hearings

AUTHORITY: Implementing and authorized by Section 13 of the Illinois Egg and Egg Products Act (Ill. Rev. Stat. 1991, ch. 56 1/2, par. 55-13) [410 ILCS 615/13].

SOURCE: Rules and Regulations for the Illinois Egg and Egg Products Act, filed October 28, 1975, effective November 1, 1975; amended March 2, 1976, effective March 12, 1976; amended December 29, 1976, effective January 1, 1977; codified at 5 Ill. Reg. 10449; amended at 7 Ill. Reg. 2311, effective February 14, 1983; amended at 17 Ill. Reg. 6749, effective April 27, 1993.

Section 65.10 Definitions

Words in the singular form shall be deemed to include the plural, words in the masculine form shall be deemed to include the feminine form, and vice versa, as the case may require. As used in these rules the following terms shall have the meanings specified:

"Act" means "The Illinois Egg and Egg Product Act" (Ill. Rev. Stat. 1981 1991, ch. 56 1/2, par. 55-1 et seq.) [410 ILCS 615/1].

"Deceptive" - Any arrangement of the contents of any consumer-size container or master container, or of any lot, load or display in which the eggs in the outer layer or in any portion exposed to view are in quality, size, condition or in any other respect superior to those in the interior or unexposed portion as to materially misrepresent the contents or any part thereof as to size, quality, condition or any other respects.

"Eggs sold at retail" - It shall be considered that shell eggs are being sold at retail when they are offered for sale or sold to a consumer. The provision of this Act shall apply in all retail transactions except those specifically exempted by the Act.

"First receiver" means the first recipient of the eggs from a producer.

"Mislabel" - The placing or presence of any false, deceptive or misleading mark, term, statement, design, device, inscription or any other designation upon a consumer-size container or master container of eggs or upon the label, lining or wrapper thereof, or upon a placard or sign used in connection therewith, or in connection with any display having reference to eggs.

"Sufficient strength and durability" means that the master container must be rigid and capable of supporting 4 or 5 full master containers when stacked as commonly occurs when such master containers are shipped.

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

Section 65.100 Application for License or Renewal; Revocation or Suspension of License

- a) Except for those businesses exempted in Section 8 of the Act, applications for a license to operate as a handler, egg breaking establishment or any other business which buys, sells, trades or traffics in eggs, such as, egg packing, handling and processing plants, shall be made on forms supplied by the Department. Persons

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who ship shell eggs into Illinois from any other state via their own trucks, leased trucks, or common carrier must have Illinois Egg Licenses. All shipments of such eggs shall meet Federal standards (21 U.S.C.A. 1031 et seq. (6/29/72) and 7 CFR 2056.56; 6/27/77 5/1/91 and 7 CFR 59.2059; 6/27/77 5/1/90) and be in compliance with the rules--(8-111--Adm--Code--65)--herein--promulgated this Part. Egg breaking establishments located in this State or located outside the State but who sell or purchase shell eggs in Illinois must obtain an Illinois Shell Egg License and thereby become subject to all provisions of the Act and to the rules governing the sale and purchase of shell eggs in Illinois--(8-111--Adm--Code--65) in this Part.

b) New applicants for licenses shall state the type of license desired (see--(8-111--Adm--Code Section 65.110) when requesting an application form. Applications for renewal of licenses shall be mailed by the Department to the licensee at the address on the application. The application for renewal of a license shall be filed with the department annually within 60 days after the close of the egg handler's last completed fiscal year or within such further time, not exceeding 60 days, as the department upon application may grant" (quoted--from--the--Illinois--Egg--and--Egg--Products--Act, Ill. Rev. Stat. 1981 1991, ch. 56 1/2, par. 55-9) [410 ILCS 615/9]. The Department shall extend past the 60-day renewal period a grace period, not exceeding another 60 days, provided the applicant has submitted the executed renewal application to the Department within the renewal period accompanied by a statement indicating that a current financial statement and/or surety bond has been contracted for and estimated date it will be available for the Department's review. Exception: the Department shall not grant a grace period or shall cancel a grace period that was granted if the handler has defaulted to producers for eggs which he has purchased from them. The application for an egg license shall include the name to appear on the license, and the address where the applicant engages in the business of buying eggs, information as to the type of license being applied for, name under which the license was previously issued and license number if it is a request for renewal of license, information on whether the licensee purchased nest run eggs and from whom, and information on officers or partners, if applicable.

c) The application for license to operate an egg breaking establishment shall request the name to appear on the license, the address of the business and information on whether the business has or will purchase nest run eggs from producers. Applicant's business must meet standards as set forth in 8-111--Adm--Code Section 65.140 and submit a financial statement and surety bond or certificate of deposit if the egg breaking establishment qualifies as a handler (see 8-111--Adm--Code--65--100 subsection (d) below).

d) A handler as defined in Paragraph--55-3-16 Section 3.16 of the Act who buys nest run eggs from a producer, except a retailer or producer-dealer who purchases less than 150 cases (master containers containing 30 dozen eggs in each container) per year from producers

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and provided they pay cash, barter or kind for such eggs, shall file with the application a surety bond or post a certificate of deposit in accordance with the provisions of Section 11.1 of the Act, as well as a current financial statement as required by Section 11.2 of the Act. Handlers who purchase nest run eggs from a bonded producer-dealer do not need to be bonded or submit a financial statement, unless the nest run eggs are from the bonded producer-dealer's own production. The surety bond or certificate of deposit will cover that portion of the nest run eggs that is from the bonded producer-dealer's own production. 8-111--Adm--Code Section 65.120 states additional requirements regarding surety bonds or Certificates of Deposit.

e) Inaccurate or missing information on the application will be grounds for revoking or refusing to issue a license. Before refusing to issue or renew or before suspending or revoking a license or refusing to issue or revoking a grace period for renewal, the Department shall comply with the provisions of Section 11.5 of the Act. The administrative hearing shall be conducted in accordance with 8-111--Adm--Code Section 65.230.

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

Section 65.130 Required Forms and Records

a) Grade Buying Slip.

1) When eggs are purchased from the producer on a graded basis, a grade buying slip shall be issued by the purchaser to the producer showing that eggs are of one or more of the following grade and size designations stating the quantity of each. Every grade buying slip shall carry a minimum of these six designations:

A Large	B Grade
A Medium	Restricted
A Small	Loss

2) The grade buying slip must identify the producer and the purchaser and show the date of purchase and the date of grading. Eggs purchased from producers on a graded basis shall be candled and graded by the first receiver before the close of the fifth business day after receipt of the eggs at the grading facility unless otherwise agreed to by both parties and, unless they are sold as "Nest Run Eggs" in which event they must be assigned a nest run grade and a weight class as defined in 7 CFR 56.230, 56.231, and 56.232 (May 1, 1991) Sections--2056-230--(6/27/77) 2056-231--(6/27/77)--and--2056-232--(6/27/77) in the Federal standards for shell eggs (7-CFR--20567-6/27/77).

3) If quality factors preclude the assignment of a nest run grade, it must be so stated on the invoice accompanying the sale of the eggs to the second receiver.

4) Other grade and size classifications may be used in addition to

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the above compulsory ones. When other grades are added to the above list, they must conform with the Federal egg grading standards adopted in 8-111--Adm--Code Section 65.220. The term "restricted" shall be used to designate all edible eggs below B quality (see 8-111--Adm--Code Section 65.190(a)). A quantitative breakdown of the various types (i.e., checks, dirties, etc.) of restricted eggs shall be shown.

b)

- 1) When eggs are sold by a licensed handler to another handler or retailer for ultimate resale to consumers, or to an institutional consumer or manufacturer for use in preparation of food for human consumption, an invoice or other accounting document must accompany the eggs.
- 2) The invoice or other accounting document must show the name and address of the seller, the name and address of the purchaser, and the exact grade and size of the eggs sold according to State grade standards (see 8-111--Adm--Code Section 65.220).
- 3) Both seller and buyer must keep a copy of this invoice or other accounting document on file at their respective places of business for a period of 30 days.

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

Section 65.140 Minimum Sanitation, Building and Labeling Requirements for Egg Breaking Establishments

Illinois standards for sanitation, building and labeling requirements for egg breaking establishments shall be those as required by the Federal Egg Products Inspection Act (21 U.S.C.A. 1035; 6/29/72 and 1036; 6/29/72) and its rules (7 CFR 2859.59; 6/27/77 May 1, 1990).

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

Section 65.150 Minimum Sanitation and Operating Requirements for Shell Egg Grading Plants, Not Under Federal Inspection, Engaged in the Grading, Storage, Packaging and Distribution of Eggs

- a) Buildings shall be of sound construction so as to prevent the entrance or harboring of vermin.
- b) All areas and rooms in which eggs are handled, graded, and packed shall be kept reasonably clean during working hours and shall be thoroughly cleaned at the end of each operating day.
- c) Cooler rooms shall be free from objectionable odors, such as, mustiness or a rotten odor, and shall be maintained in a clean sanitary condition.
- d) Oil processing of shell eggs to preserve quality shall be conducted in a manner as will avoid contamination of the eggs. The temperature of

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the processing oil must be warmer than the temperature of the eggs to which it is applied.

- 1) Oil having any off odor or oil that is obviously contaminated shall not be used. Processing oil that has been previously used and which has become contaminated shall be filtered and heated to 180° F. for three minutes prior to reuse.
- 2) Oil treating equipment shall be washed, rinsed and treated with a bactericidal agent each time the oil is removed. It is preferable to filter and heat treat processing oil, and clean processing equipment daily when in use. Equipment shall be covered when not in use to keep it clean.
- 3) Eggs with apparent moisture on the shell shall not be oil treated.
- e) Egg cleaning equipment shall be kept in good repair and shall be thoroughly cleaned after each day's use or more often if necessary to maintain a sanitary condition. The wash water shall be potable and maintained at a temperature of 90° F. minimum. The wash water temperature must be at least 20° greater than the egg temperature. The wash water shall be replaced frequently and the detergent and sanitizer shall be kept at an effective level at all times.

- 1) During any rest period, or at any time when the equipment is not in operation, the eggs shall be removed from the washing and rinsing area of the egg washer and from the scanning area whenever there is a build-up of heat.

- 2) Only USDA or Federal approved cleaning and sanitizing compounds may be used (7 CFR 2859-545 59.515; 6/27/77 May 1, 1990). Washed eggs shall be reasonably dry before cartoning or casing.

- f) Washing eggs by hand or by any other method whereby the water temperature, cleaning and sanitizing agents, and bacterial contamination cannot be controlled is prohibited.

- 9) Motor driven rotary cleaning pads, hand sanding, or other "dry cleaning" devices may be used to clean eggs, but they are not recommended. Dry cleaning pulverizes the dirt thereby spreading it over all adjoining surfaces, including eggs. In the absence of an adequate air filtering system, the process shall be considered as air pollution and a health hazard for persons handling the eggs.

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

Section 65.170 Retail Egg Inspection

- a) When an inspector selects inspection samples to ascertain compliance with the Egg and Egg Products Act and the rules as they apply to grade and size of shell eggs, such samples shall be taken from the same areas or lots immediately available and offered for sale to retail customers.
- b) If a disproportionate number of checks and leakers are found indicating the lack of reasonable store surveillance of the egg

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display, the inspector will issue a violation notice. In determining if a violation exists, the inspector will consider the damage possibly inflicted by the store's patrons, past inspection history indicating previous lack of surveillance of the egg display, and whether the number of checks and leakers exceed minimum federal egg grading standards (7 CFR 2856 56; 6/27/77 May 1, 1991).

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

Section 65.190 Restricted Eggs (Definition, Labeling, Handling, Disposition)

a) "Restricted eggs" means shell eggs which are checks, dirties, incubator rejects, inedibles, leakers or loss. Except for the producer exemption as provided in paragraph (c), checks and dirties may be used for human food provided they are processed and pasteurized in an official plant.

b) "Capable as use as human food" means any egg or egg product, unless it is denatured, or otherwise identified as required by Federal regulation to deter its use as human food (7 CFR 2859 59; 6/27/77 May 1, 1990).

c) Within the classifications of eggs defined as restricted eggs, only checks and dirties are capable of use as human food, unless they are destroyed or identified and labeled for animal food. Checks and dirties shall be sold direct or indirect only to an official plant. However, a producer may sell on his own premises, where eggs are produced, checks and dirties directly to household consumers, for such consumer's personal use and his non-paying guests.

d) Producer-dealers, packers, handlers, distributors, or retailers shall not sell on or off the premises within the State any restricted eggs to any person, including consumers, institutional consumers or employees.

e) Restricted eggs will not be given free to any person including but not limited to institutional consumers, charitable organizations, or any employee whereby they may be used for human food.

f) Restricted eggs may be designated for animal food only when properly decharacterized or denatured to preclude their use in food for human consumption, and each container or receptacle shall be labeled "Restricted eggs, Not to be used as human food". However, restricted eggs which are not decharacterized or denatured may be moved from one U.S. Department of Agriculture licensed plant to another U.S.D.A. licensed plant.

g) Inedible and loss eggs must be denatured at point and time of segregation. If the liquid is removed from the shells, approved denaturant must be placed in the receptacle provided, before the liquid is added. If loss eggs are placed on fillerflats or in flats and fillers, or in any other manner, each layer of eggs must be denatured before another one is started. However, inedible and loss eggs under U.S. Department of Agriculture inspection and control shall

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be handled in accordance with U.S.D.A. recommendations.

h) Checks and dirties must be conspicuously labeled at point and time of segregation with a placard or other device. Full or partial master cases containing checks and dirties must be labeled before transfer to the cooler.

i) Producer-dealers with less than 3000 birds or any producers, regardless of size, who do no candling and grading, are not required to register under the Federal Egg Products Inspection Act. Producer-dealers with less than 3000 birds who candle and grade eggs must be licensed by the State and therefore be subject to these rules as they apply to restricted eggs.

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

Section 65.200 Denaturants

Illinois standards for use of denaturants shall be those as required by the Federal Egg Products Inspection Act (21 U.S.C.A. 1039; 6/29/72) and its rules (7 CFR 2859-504 59.504(c); 6/27/77 May 1, 1990).

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

Section 65.210 Egg Inspection Fee

a) An inspection fee of 3¢ 5¢ per case (30 dozen equals a case) or fraction thereof shall be imposed on all eggs bearing a designated size and grade which are offered for sale or sold in the State of Illinois.

b) The first handler of any eggs offered for sale or sold in Illinois shall pay the prescribed inspection fee on such eggs. In the event that the eggs are shipped into Illinois, the last out of state handler or distributor shall pay the fee.

c) The handler paying the inspection fee shall charge on each sales invoice the amount of the inspection fee as the transaction in addition to the price of the eggs.

d) Eggs sold or shipped out of the State of Illinois are exempt from inspection fees.

e) The inspection fee shall be paid only once on the same quantity of eggs so long as said eggs maintain their identity by remaining in their original case, carton or container.

f) Persons responsible for the payment of the inspection fees shall report every three months the number of master containers (cases of 30 dozen eggs per case) of eggs subject to the inspection fee on forms supplied by the Department. Exception: Persons selling less than 600 master containers of eggs per year subject to the inspection fee shall report the number of master containers sold and remit fees on an annual basis at the time of license renewal. Such reports shall be

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accompanied by a remittance in an amount corresponding to said number of master containers at the rate prescribed per master container.

- 1) In the events below, the Director shall summon the delinquent person or firm to an administrative hearing in Springfield whereby his license may be suspended or revoked:

A) the quarterly report is established as being false or incorrect, or

B) the report is not received within 30 days of the due date.

- 2) The quarters are as follows: January 1st to March 31st; April 1st to June 30th; July 1st to September 30th; October 1st to December 31st.

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

Section 65.220 Illinois Grade Standards

The standards for shell eggs for the State of Illinois shall be those standards as set by the United States Department of Agriculture for shell eggs (see 7 CFR 2856.56; 6/27/77 May 1, 1991).

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

Section 65.230 Administrative Hearings

All decisions and actions of the Department are subject to the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1981, ch. 127, pars. 1-1001-1 et seq.) [5 ILCS 100/1-1] and the Department's Administrative Rules (8 Ill. Adm. Code 1) which pertain to administrative hearings, petitions, contested cases, declaratory rulings and availability of Department's files for public access. Administrative hearings are governed by the Illinois Administrative Procedure Act and Subpart B of the Department's Administrative Rules. The final administrative decision of the Department (see 8 Ill. Adm. Code 1.75(k) and 1.340) shall be subject to Section 19 of the Act.

(Source: Amended at 17 Ill. Reg. 6749, effective April 27, 1993)

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- 1) HEADING OF THE PART: North Point Marina
- 2) CODE CITATION: 17 Ill. Adm. Code 220
- 3) SECTION NUMBERS: 220.30 Amendments
220.60 Amendments
ADOPTED ACTION:
- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1 and 4 of the State Parks Act (Ill. Rev. Stat. 1991, ch. 105, pars. 465 and 468) [20 ILCS 835/1 and 4] and by Sections 63a5, 63a15 and 63a21 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 63a5, 63a15 and 63a21) [20 ILCS 805/63a5, 63a15 and 63a21] and by Section 6z-10 of the State Finance Act (Ill. Rev. Stat. 1991, ch. 127, par. 142z-10) [30 ILCS 105/6z-10].
- 5) EFFECTIVE DATE OF AMENDMENTS: April 27, 1993
- 6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No
- 7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No
- 8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: April 22, 1993
- 9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: December 28, 1992, 16 Ill. Reg. 19993
- 10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES: No
- 11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:
Citations to the Illinois Compiled Statutes were added in the Main Source Note.
In Section 220.30(a)(10)(E), "would" in the sixth line was changed to "will".
Pursuant to discussions with the Committee regarding the above-referenced rulemaking, the Department of Conservation has agreed to do rules specific to the miscellaneous fees and charges once such fees and charges are established.
- 12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes

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13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? NO

14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? NO

15) SUMMARY AND PURPOSE OF AMENDMENTS: Amendments to this part include the addition of provisions for married couple permittees, slip transfer in event of boat sale, refunds and credits of slip fees, temporary slip permits and fees, and miscellaneous fees and charges.

16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Jack Price
Department of Conservation
524 S. Second Street, Room 485
Springfield, IL 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE:

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER a: LANDS AND HISTORIC SITES

PART 220
NORTH POINT MARINA

Section	
220.10	Application and Scope
220.20	Compliance
220.30	Marina Slip Acquisition
220.40	Slip Use
220.50	Vessel Condition and Movement
220.60	Fees and Charges
220.70	Other Regulations
220.80	Emergency Boarding of Vessels
220.90	Waiver of Claims

AUTHORITY: Implementing and authorized by Sections 1 and 4 of the State Parks Act (Ill. Rev. Stat. 1991, ch. 105, pars. 465 and 468) [20 ILCS 835/1 and 4] and by Sections 63a5, 63a15, and 63a21 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 63a5, 63a15 and 63a21) [20 ILCS 805/63a5, 63a15 and 63a21] and by Section 62-10 of the State Finance Act (Ill. Rev. Stat. 1991, ch. 127, par. 1422-10) [30 ILCS 105/62-10].

SOURCE: Adopted at 13 Ill. Reg. 9269, effective June 6, 1989; amended at 15 Ill. Reg. 1495, effective January 22, 1991; amended at 15 Ill. Reg. 14418, effective October 1, 1991; amended at 16 Ill. Reg. 7335, effective April 24, 1992; amended at 17 Ill. Reg. 6760, effective April 27, 1993.

Section 220.30 Marina Slip Acquisition

- a) Permit Conditions and Procedures
 - 1) All vessels assigned slips must be registered in accordance with the "Boat Registration and Safety Act" (Ill. Rev. Stat. 1989 1991, ch. 95 1/2, par. 311-1 et seq.) [625 ILCS 45/1-1 et seq.].
 - 2) No permit will be granted in the name of an organization. Permittee must be an individual, and evidence of Permittee ownership (full or partial) or control of the vessel must be presented to the Marina Administrative Office (M.A.O.). Permittee may be a married couple. In the event of divorce, documentation of succession will be required by the Marina as the basis for issuing a new harbor occupancy agreement. Evidence of permittee ownership or control shall be:
 - A) Title or Registration;
 - B) Bill of Sale or Sales Contract; or
 - C) Lease Agreement.
 - 3) No permit will be granted until the Permittee demonstrates proof

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of liability insurance to cover damage to the Marina, other boats or boat owners.

4) Permit fees will be based upon the length of the vessel and lease status (seasonal or temporary). See Section 220.60 (Fees and Charges).

5) Slip applications will be accepted on a "first-come, first-served" basis pursuant to position on the Applications Wait List administered by the M.A.O. A deposit must accompany the application. See Section 220.60 (Fees and Charges).

6) Slip renters must accept the first slip offered, regardless of location. Refusal to accept the first slip offered shall result in the applicant's name being moved to the bottom of the list. A refusal to accept the offered slip the following season shall result in the applicant's name being removed from the list and the applicant's deposit shall be forfeited to the Department. (In accordance with Ill. Rev. Stat. ~~1989~~ 1991, ch. 127, par. 141.158) [30 ILCS 105/5.158].

7) Slip transfers may be requested by slip holders only. Such requests will be maintained and serviced pursuant to a Slip Transfer Wait List administered by the M.A.O. Requests for slip transfers will be given priority over slip applications from non-tenants as slips become available.

8) All Harbor Occupancy Agreements shall be non-transferable and shall not be leased or transferred to any other individual.

9) The Department of Conservation (Department) shall have the right to temporarily re-assign slip spaces and to move or cause to be moved any vessel so re-assigned. A Permittee, by applying for and accepting the use of a slip shall be deemed to have consented to the temporary re-assignment and movement of his or her vessel to another slip for the proper operation, maintenance, and repair of the North Point Marina; or for the convenience of the Department while making repairs or improvements; and in the case of an emergency (see Section 220.80). Permittee further consents to the movement of his or her vessel by Departmental personnel. If, after notice to move the vessel is given by the Department, Permittee fails to comply with such notice, neither the Department nor any of its officials or employees shall be liable to and a Permittee waives all claims for damage to persons and property sustained by a Permittee resulting from the movement of his or her vessel.

10) Cancellation Provisions

A) By the Department: The Department shall cancel and terminate any permit upon ten (10) days written notice to the Permittee for the Permittee's failure or refusal to comply with provisions of the permit, such as nonpayment of slip fees; criminal violations which endanger life or property; or repeated violations (3 or more in one season) of this Part or 17 Ill. Adm. Code 110. The Permittee shall not be due any refund of slip fees paid.

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B) By Permittee: The Permittee shall give the Marina office written notice of intent to vacate. The Permittee shall not be due any refund of slip fees paid.

C) In the event of sudden unemployment, catastrophic illness, or similar personal crisis, the slipholder may request a refund of slip fees paid. With the recommendation of the M.A.O. and approval of the Director, a refund may be granted in an amount not to exceed 50% of slip fees paid for that season, if requested by June 1.

E) Removal of Vessel upon Cancellation of Permit: If Permittee shall fail or refuse to remove his or her vessel from a slip or end tie by the date of cancellation of his or her permit, the Department will order and cause the vessel to be removed and stored at the Permittee's risk and expense and retake possession of the slip. Neither the Department nor any of its officials or employees shall be liable to and a Permittee waives all claims for damage to persons and property sustained by a Permittee resulting from the movement of his or her vessel pursuant to this provision.

E) Slipholders who do not occupy their slip may be allowed a carryover to the succeeding year if a portion of their slip rental has been paid and if mitigating circumstances exist. If a slip is not rented in the succeeding year the carryover will be forfeited. Written application detailing the circumstances of the non-occupancy must be made to the M.A.O. to be considered for a carryover. Within 30 days the M.A.O. will notify the slipholder in writing whether the carryover will be allowed. The amount of carryover allowed will be prorated based on the date the written application from the slipholder was received in the M.A.O.'s office. Approval is entirely the M.A.O.'s decision and no appeal will be allowed.

11) In the event of the death of a slip holder, the surviving spouse or a child of the slip holder shall have the right of first refusal of the assignment of the slip, subject to the approval of the Department. Approval shall be based upon such considerations as the survivor's history of compliance with Department rules and proper utilization of the Marina facilities.

b) Slip Renewals

For slip renewal, the Harbor Occupancy Agreement must be received by the Department no later than December 31, of any given year. If the Harbor Occupancy Agreement has not been received by that date the slip shall be vacated.

c) Slip Vacancies

1) Vacancies in slips shall be filled as follows:

A) The vacant slip will be made available to current slip holders registered on the Slip Transfer Waiting List in order of appearance.

B) If no transfer request fills the vacancy within 10 days, the

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slip shall be made available to individuals registered on the Applications Wait List in order of appearance.

- 2) Sale of Permittee's Vessel
 - A) A Permittee may retain his or her designated slip for a period of thirty (30) days after transferring title or agreeing to sell his or her vessel provided the Permittee shall notify the Department in writing within five (5) days of the date Permittee enters into an agreement for the sale of the vessel and his or her intent to acquire another vessel. An extension of an additional period, but not to exceed sixty (60) additional days will be granted by the Department upon submission by Permittee of proof of a contract to purchase or construct another vessel. A further extension may be granted to commercial operators upon showing of a contract to purchase a different boat and a delivery date, not to exceed opening day of the next season.
 - B) Permittee shall notify the Department in writing within five (5) days of any change of ownership in his or her vessel resulting from a gift, sale, lease, withdrawal, addition, or substitution of Partners, the sale or transfer of stock in a closely held corporate owner of the vessel or a change of officers or directors of a closely held corporation owning the vessel.

C) In the event a slipholder, who has paid in full for the season, sells his or her boat, the slipholder may request North Point Marina to approve a new harbor occupancy agreement with the purchaser of the boat for the remainder of the season. If the M.A.O. approves, the slipholder shall relinquish all rights to said slip. Such permission shall not extend past the end of the then current boating season. If the purchaser desires a slip for the following season, he/she must apply for a slip as a new slipholder.

d) Visiting Vessel Temporary Slip permits

- 1) The M.A.O. may provide temporary slip permits to vessels visiting the Marina. See Section 220.60 (Fees and Charges). Permits shall be posted on vessels in accordance with instructions issued by the M.A.O.
- 2) No temporary permit may last longer than 15 30 days.
- 3) The M.A.O. may assign temporary use of an already leased slip under limited slip vacancy conditions. See Section 220.40 (Slip Use).
- 4) Temporary permits may be renewed for a like period at the discretion of the M.A.O., based upon the Permittee's compliance with Department rules and slip availability.

(Source: Amended at 17 Ill. Reg. 6760, effective April 27, 1993)

Section 220.60 Fees and Charges

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a) All fees and charges may be paid in the form of cash, check or money order. Transient rentals only may be paid by approved credit card.

- b) Slip Rental - Seasonal
 - 1) Slip rental fees will be based upon slip length or overall length of vessel (including all appendages), whichever is greater.
 - 2) A (one-time) \$200 deposit must accompany the application for a slip. This deposit is non-refundable and will be applied to the first year's slip rent.
 - 3) Slip rental rates are \$60.00 per foot per season for each foot of slip or each foot of vessel, whichever is greater. Discounts or credits shall be deducted from the total when such incentives are offered. Amounts and conditions precedent shall be determined by the Department of Conservation based upon economic conditions and slip occupancy and shall be publicly announced prior to implementation. Such incentives shall be offered equally to all members of the class of people to whom the incentives are offered, contingent upon slip availability.
- 4) Payment Schedule: Slip rental is due according to the following schedule:
 - 25% by December 31
 - 25% by February 28
 - 25% by April 30
 - 25% by June 30

5) Rent will be pro-rated for partial season occupancy by new applicants, based on the proportion of the season remaining at time permittee is notified the slip is available. (Season shall be calculated as June 1 through October 31 for pro-rata purposes.) There shall be no pro-rata discounting for any vessel offered a slip prior to June 2. Payment schedule shall conform, as nearly as possible, to the schedule set out in Subsection (b)(4). (Example: Permittee notified on June 15 that slip is available. Must pay 75% of pro-rated amount immediately and 25% of pro-rated amount by June 30.)

6) Late Charges: For payments not submitted by the scheduled due date, a late charge of 3% of the amount due shall be assessed per month. No boat shall be allowed initial occupancy of the assigned slip until all scheduled payments (including late charges) have been made. Any slip rental payment more than 60 days in arrears shall result in lease termination and boat impoundment.

c) Slip Renting - Temporary
Visiting vessels will be charged the following rates:

\$15 \$20 per day for vessels 30 feet and under.
\$15 \$20 per day plus one dollar per day for each foot over 30 feet
LOA.

One day free for every 7 consecutive days paid.

d) Rate Changes

The Department of Conservation reserves the right to change rates.

e) Utilities

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Normal utility use is included in slip rental fees. Excess use (defined as consumption beyond average consumption of a similar size boat), as determined by the M.A.O., will be billed at the rate charged Conservation by the respective utilities.

f) Other Fees and Charges

The M.A.O. shall post in a public place the schedule of miscellaneous fees and charges. Fees may be charged for such things as courtesy cards, penalties for failure to return key cards and cables, and use of Marina facilities.

(Source: Amended at 17 Ill. Reg. 6760, effective April 27, 1993)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Automobile Anti-Theft Mechanisms
- 2) Code Citation: 50 Ill. Adm. Code 932
- 3) Section Number: Adopted Action:
932.40 Amended
932.60 Amended
- 4) Statutory Authority: Implementing Section 143.28 and authorized by Section 401 of the Illinois Insurance Code (215 ILCS 5/143.28 and 5/401).
- 5) Effective Date of Amendment: April 27, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference?
No
- 8) Date filed in Agency's Principal Office: April 27, 1993
- 9) Notice of Proposal Published in Illinois Register:
May 8, 1992, 16 Ill. Reg. 7279
- 10) Has JCAR issued a Statement of Objections to this rule?
Yes, January 29, 1993; 17 Ill. Reg. 1240
- 11) Difference(s) between proposal and final version:
 - a) All statutory citations have been updated to the 1991 Revised Statutes and parenthetical references have been made to the new Compiled Statutes.
 - b) Section 932.20 - The definition of "Vehicle Location and Recovery System" has been deleted.
 - c) Section 932.40 - The introductory paragraph has been changed to read as follows:
"All insurance companies issuing policies of automobile insurance, as defined in Section 143.13(a) of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, par. 755.13(a)) [215 ILCS 5/143.13(a)], which insure automobiles that contain anti-theft devices as

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described herein, shall allow the following discounts on comprehensive coverage to qualifying automobiles."

d) Section 932.40(d) - This subsection has been deleted.

e) Section 932.60(a)(3) - The last sentence has been paginated into the preceding paragraph. The reference to "(a)(3) above" has been deleted from this sentence. Also on the second to the last line, "this" has been deleted and on the last line a comma has been added following "(a)".

f) Section 932.60(b)(1) and (2) - On the second line, "subsection" has been added ahead of the subparagraph reference.

g) Section 932.60(d) - This subsection has been deleted.

12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes

13) Will this amendment replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of rulemaking: This proposed Amendment will eliminate the size requirement for glass etching under Section 932.60(a)(3).

16) Information and questions regarding this adopted amendment shall be directed to:

Bob Heisler
Department of Insurance
320 West Washington
Springfield, Illinois 62767

The full text of the Adopted Amendment begins on the next page.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER 1: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 932

AUTOMOBILE ANTI-THEFT MECHANISMS

Section

932.10 Authority

932.20 Definitions

932.30 Scope

932.40 Discounts to Qualified Motor Vehicles

932.50 General Rules Applicable To All Anti-Theft Devices

932.60 Types of Anti-Theft Devices Qualifying for Discounts

932.70 Severability Provision

AUTHORITY: Implementing Section 143.28 and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, pars. 755.28 and 1013) [215 ILCS 5/143.28 and 401].

SOURCE: Adopted at 5 Ill. Reg. 5640, effective May 18, 1981; codified at 7 Ill. Reg. 3463; amended at 17 Ill. Reg. 6768, effective April 27, 1993.

Section 932.40 Discounts to Qualified Motor Vehicles

All insurance companies issuing policies of automobile insurance, as defined in Section 143.13(a) of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, par. 755.13(a)) [215 ILCS 5/143.14(a)], which insure automobiles that insuring-motor vehicles which contain anti-theft devices as described herein, shall allow the following discounts on comprehensive coverage in-respect to qualifying motor-vehicles automobiles.

- a) Category 1 devices shall receive a 5% discount.
- b) Category 2 devices shall receive a 10% discount.
- c) Category 3 devices shall receive a 15% discount.

(Source: Amended at 17 Ill. Reg. 6768, effective April 27, 1993)

Section 932.60 Types of Anti-Theft Devices Qualifying for Discounts

- a) Category 1:

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- 1) Ignition or starter cut-off switch. A non-passive internally activated device which disables the vehicle by making the ignition or starter system inoperable. The switch must be installed so that it is not visible from the driver's position where the driver is seated unless protected by a separately installed lock.
- 2) A non-passive operated alarm meeting the following standards:
 - A) The alarm must be triggered by entry of doors, hood and trunk.
 - B) The hood must be equipped with either a hood lock and latch mechanism or an inside hood latch control.
 - C) If the system is equipped with a motion detector, the alarm must sound for no more than 10 minutes and upon ceasing, the alarm must reset itself.
 - D) The alarm must be installed in the engine compartment so as to be inaccessible without opening the hood.
 - E) The switch must be installed so that it is not visible from the driver's seat unless protected by a separately installed lock.
 - F) If the system is internally inactivated, the maximum time delay permitted to disarm the system after re-entry is 20 seconds.
- 3) Window identification system in which the complete manufacturer's ID number (vehicle identification number) is etched by a tool which will not destroy the integrity of the glass into all the windows of the vehicle other than small vent windows and on or near the front or rear bumpers. The identification letters/numbers must be at least 1/4" in height. A sticker may identify the presence of this system. This discount may be applied to a vehicle with an external hood release. The discount for (a)(3)

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- above (a window identification system) is in addition to any other discount permitted by this Part subsection (a), (b) or (c) herein.
- b) Category 2:
 - 1) A passive alarm system meeting the standards described in subsection (c)(1) of this Section but which also includes a motion detection device which cannot be disarmed independently from the remainder of the system.
 - 2) A non-passive internally operated alarm meeting the criteria of subsection (a)(2) of this Section and equipped with a forced action prompter which activates the horn or flashes the headlights for a minimum of five minutes upon removing the key without first setting the alarm.
 - 3) High Security Ignition Replacement Lock which cannot be removed using a conventional slide hammer or lock puller equipment installed in a vehicle with a metal lock and steering wheel housing.
 - 4) A sticker may identify the presence of this system.
 - c) Category 3:
 - 1) A passive alarm system which meets the following criteria:
 - A) The alarm must be triggered by entry of doors, hood and trunk.
 - B) The hood must be equipped with either a hood lock and latch mechanism or an inside hood latch control.
 - C) If equipped with a motion detector, the alarm must sound for no more than ten minutes and upon ceasing, must reset itself.
 - D) The alarm must be installed in the engine compartment so as to be inaccessible without opening the hood.
 - E) The maximum time delay permitted to disarm the

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system after re-entry is 20 seconds.

- F) If equipped with a motion detection device which sounds the alarm upon lifting or shaking the automobile, provision must be made for separately disarming the shaker switch independently of the remainder of the system.
- G) The system is equipped with either a redundant starting means or an internal hood lock meeting the standards of Section 932.50(d).
- 2) Passive fuel cut-off switch which requires the driver to trip a switch to open the fuel line each time the car is started and which meets the following criteria:
- A) The fuel line must be blocked when the power is off.
 - B) The switch to open the fuel line must be well hidden from view but accessible to the driver from the driver's seat.
 - C) In normal operation, the automobile must not be able to be started unless the fuel cut-off switch is tripped and the fuel line is opened.
 - D) A parking/service attendant override switch may be provided. It must be disguised or hidden from view.
- 3) Passive ignition cut-off system. This system disables one or more components such that the engine cannot be started or hot-wired. Such device must meet these criteria:
- A) If designed to disable the ignition circuit at a present engine speed, the ignition must cut off automatically as soon as the engine reaches a speed in the range of 1000 to 1700 RPM.
 - B) The disconnect/grounding wiring must blend with factory installed wiring.
 - C) A push button or other type of disarm switch must be disguised or hidden from view unless

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operated by a separately installed lock.

- D) A parking service attendant override switch may be provided but must be disguised or hidden from view.

(Source: Amended at 17 Ill. Reg. 6768, effective April 27, 1993)

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- 1) Heading of Part: Financial Futures Contracts
- 2) Code Citation: 50 Ill. Adm. Code 805
- 3) Section Number:
- | | |
|--------|---------|
| 805.10 | Amended |
| 805.20 | Amended |
| 805.30 | Amended |
| 805.40 | Amended |
| 805.50 | Amended |
| 805.60 | Amended |
| 805.70 | Amended |
- 4) Statutory Authority: Implementing Article VIII and Section 133 and authorized by Sections 125.23a and 401 of the Illinois Insurance Code (215 ILCS 5/124, 5/133, 5/125.23a and 5/401).

- 5) Effective Date of Amendment: April 26, 1993

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference?
No

- 8) Date filed in Agency's Principal Office: April 26, 1993

- 9) Notice of Proposal Published in Illinois Register:

December 15, 1992, 17 Ill. Reg. 42

- 10) Has JCAR issued a Statement of Objections to this rule? No

- 11) Difference(s) between proposal and final version: No substantive changes were made.

- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes

- 13) Will this amendment replace an emergency rule currently in effect? Yes

- 14) Are there any amendments pending on this Part? No

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- 15) Summary and Purpose of rulemaking: On December 11, 1992, the Chicago Board of Trade began issuing catastrophic insurance futures and options contracts and homeowners insurance futures and options contracts. The attached proposed amendments will clearly establish that insurance company investments in these instruments will be regulated under Section 125.23a of the Insurance Code and this Part. This Part will define specific accounting and statutory reporting requirements for insurance futures investments. Further, it restricts such investment to hedging transactions, allowing risk management but prohibiting speculative investment.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Cindy Stephenson
Department of Insurance
320 West Washington
Springfield, Illinois 62767

The full text of the Adopted Amendment begins on the next page.

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NOTICE OF ADOPTED AMENDMENT(S)

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER j: INVESTMENTS OF DOMESTIC COMPANIES

PART 805
FINANCIAL FUTURES CONTRACTS

Section	
805.10	Authority
805.20	Purpose
805.30	Definitions
805.40	Transactions in Financial Futures
805.50	Accounting for Transactions in Financial Futures Contracts
805.60	Administration and Recordkeeping
805.70	Severability Provision

AUTHORITY: Implementing Article VIII and Section 133 and authorized by Sections 125.23a and 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, pars. 736 et seq., 745, 737.23a and 1013) [215 ILCS 5/124 et seq., 133, 125.23a and 401].

SOURCE: Adopted at 6 Ill. Reg. 2700, effective March 2, 1982; codified at 7 Ill. Reg. 4212; amended at 8 Ill. Reg. 15034, effective August 8, 1984; emergency amendment at 17 Ill. Reg. 154, effective December 15, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 6775, effective April 26, 1993.

Section 805.10 Authority

This Part is issued by the Director of Insurance under Section 125.23a and Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1983 1991, ch. 73, pars. 737.23a and 1013) [215 ILCS 5/125.23a and 401] which empowers the Director "...to make reasonable rules and regulations as may be necessary for making effective..." the insurance laws of this State.

(Source: Amended at 17 Ill. Reg. 6775, effective April 26, 1993.)

Section 805.20 Purpose

It is the purpose of this Part to implement Article VIII of the Illinois Insurance Code (Ill. Rev. Stat. 1983 1991, ch. 73, par. 736 et seq.) [215 ILCS 5/124 et seq.]; and Section 133 of the Illinois Insurance Code, (Ill. Rev. Stat. 1983 1991, ch. 73, par. 745) [215 ILCS 5/133] by setting forth requirements and limitations relating to participation by a domestic insurance company (hereinafter "insurer") in the exchange-traded financial futures markets; and by establishing recordkeeping requirements concerning such transactions.

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(Source: Amended at 17 Ill. Reg. 6775, effective April 26, 1993.)

Section 805.30 Definitions

"Commodity Futures Trading Commission" means the federal regulatory agency charged and empowered under the Commodity Futures Trading Commission Act of 1974 (7 U.S.C. 1 et seq.) with regulation of the commodity exchanges or any other agency of the federal government which hereafter thereafter succeeds to or shares such power.

"Deferred gains or losses" are the amounts of unrecognized increase and decrease in the value of financial futures contracts related to uncompleted hedging transactions. These deferred amounts may, in some cases, result from terminated financial futures contracts.

"Exchange-traded" means traded on an exchange designated as a contract market regulated by the Commodity Futures Trading Commission under the terms and conditions required by, or substantially similar to, a National Securities Exchange registered under the Securities and Exchange Act of 1934 (15 U.S.C. 78(a) et seq.) which has been authorized to provide a market for option contracts pursuant to Rule 9b-1 of the Securities and Exchange Act of 1934, as amended, or traded on a commodity exchange designed as a contract market regulated by the Commodity Futures Trading Commission (Ill. Rev. Stat. 1991, ch. 73, par. 737.24(a)) [215 ILCS 5/125.24a].

"Financial futures contract" means an exchange-traded agreement--to make--or take--delivery of--(or to make--cash--settlement--in lieu--thereof) a--specified--amount--of--financial--instruments--on--a--specified--date--or period--of--time, contract which is based upon a "commodity" as defined in Section 2(a)(1)(A) of the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq.), or any other successor statute or one or more financial instruments, under terms and conditions regulated by the Commodity Futures Trading Commission.

"Financial instrument" means:
a security, currency, deposit or any other instrument, or index of a group of securities, or currencies, deposits or instruments authorized or permitted under Sections 125.1a through 125.12a and or Section 125.21a of the Illinois Insurance Code (Ill. Rev. Stat. 1983 1991, ch. 73, pars. 737.1a through 737.12a and 737.21a) [215 ILCS 5/125.1a through 125.12a and 125.21a]; or an index or pool which is composed of (or is otherwise based upon) insurance-related items.

"Hedge" is a positioning of a hedged item with one or more hedging transactions.

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"Hedged Item" is a company asset, or liability, group-of-company assets-or-liabilities-or-assets-or-liabilities-or-groups-of-assets-or liabilities revenue or expense, group, combination or ratio of company assets, liabilities, revenues or expenses, or any such items or group of items reasonably expected to be acquired, incurred or generated by the company in the normal course of business. Such assets-or-liabilities-must-bear-price-or-interest-rate items must bear price, valuation, interest rate or, with respect to insurance-related items, underwriting or other insurance-related risk.

"Hedging Transaction" is the opening or closing, for such transaction may be adjusted from time to time, of one or more qualifying financial futures contracts or call or put options which can reasonably be expected to minimize or reduce the price, or interest rate valuation, interest rate or, with respect to insurance-related items, underwriting or other insurance-related risk of the hedged item.

Insurance-related items are those assets, liabilities, revenues or expenses (including groups, combinations or ratios thereof) or other data of an insurance company related to the issuance of insurance policies or reinsurance treaties or the assumption of risk inherent therein, or otherwise related to the business of insurance.

"Margin" includes initial and maintenance margins and means any type of deposit or settlement made or required to be made with a futures commission merchant, security broker, clearinghouse, or safekeeping agent to ensure performance of the terms of the financial futures contract. For purposes of this Part, "maintenance margin" includes "variance margin."

Qualifying financial futures contract means a financial futures contract which is based upon one or more financial instruments or which has been approved in writing by the Director, upon an insurer's demonstrating to the satisfaction of the Director that the use of such financial futures contract can reasonably be expected to reduce the price, valuation, interest rate or, with respect to insurance-related items, underwriting or other insurance-related risk to which the insurer is subject.

(Source: Amended at 17 Ill. Reg. 6775, effective April 26, 1993)

Section 805.40 Transactions in Financial Futures

- a) An insurer shall not enter into a financial futures contract except as part unless it is a qualifying financial futures contract and is used in the context of a hedging transaction. If during the life of a hedge, the total dollar variation between the hedged item

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and the hedging transaction no longer is expected to be significantly correlate correlated, the transaction will no longer be considered a hedge and the financial futures contract must be closed. Transactions in financial futures must be evidenced by a trade confirmation or other evidence of ownership issued to the insurer by an entity authorized to do so, as described in the definition of "Exchange-traded" in Section 805.30 of this Part.

- b) An insurer shall never have an aggregate of any form of margin and net deferred gains and losses from terminated financial futures contracts outstanding, under Section 125.23a of the Illinois Insurance Code, of more than 10% of the excess of its capital and surplus over the minimum requirements of a new stock or mutual company to qualify for a certificate of authority to write the kind of insurance which the insurer is authorized to write. Insurer assets utilized to fulfill margin requirements shall be classified exclusively under Section 125.23a, notwithstanding any other investment sections of the Code under which the assets may have previously or may in the future be qualified. Further, the with respect to any financial futures contract contracts-must-be-in-investments-permitted which relates to an underlying investment position authorized or permitted under Section 125.1a through 125.12a or Section 125.21a of the Illinois Insurance Code, an insurer shall not take a "long" financial futures position (i.e., buy futures contracts) representing an amount of securities, currencies, deposits or other instruments which, when aggregated with other current holdings under would exceed the applicable limitations contained in Sections 125.1a through 125.12a and Section 125.21a of the Illinois Insurance Code (Ill. Rev. Stat. 1993 1991, ch. 73, par. 737.1a through 737.12a and 737.21a) [215 ILCS 5/125.1a through 125.12a and 125.21a] whether or not they are-acquired the underlying investment position is taken at the delivery date of the future contract.

(Source: Amended at 17 Ill. Reg. 6775, effective April 26, 1993)

Section 805.50 Accounting for Transactions in Financial Futures Contracts

- a) Assets or liabilities carried at amortized cost.
- 1) Gains and losses from hedged transactions may be deferred for hedged items carried at amortized cost. If the dollar change in the hedged item is different than the total dollar change from the hedging transactions, the difference in dollar change (i.e., the extent to which the transaction is not effective as a hedge), if expected to be permanent, shall be recognized currently. Until a hedge is terminated, deferred gains and losses are liabilities and assets respectively.
 - 2) After the hedge is terminated, deferred gains and losses shall be included in the amortized cost of the hedged item subject to the limitation that the amortized cost of the hedged item may not be

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increased above its fair market value. If the hedged item is no longer anticipated to be acquired or incurred, the hedge must be terminated and the deferred gain or loss from the hedging transactions must be recognized currently.

- 3) Allocation of gains or losses to the hedged item shall be recognized in a systematic and rational method, as set forth in Section 805.60(b) of this Part.

- b) Assets or liabilities carried at market value.

For assets and liabilities carried at market value, gains or losses on open hedging transactions shall be recognized currently.

(Source: Amended at 17 Ill. Reg. 6775, effective April 26, 1993)

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(Source: Amended at 17 Ill. Reg. 6775, effective April 26, 1993)

Section 805.60 Administration and Recordkeeping

- a) Prior to engaging in transactions in financial futures contracts, an insurer shall develop and adequately document policies and procedures regarding investment strategies and objectives, recordkeeping needs, and reporting matters. Such policies and procedures shall address authorized investments, investment and liability positions, applicable limitations, authorization and approval procedures, accounting and reporting procedures and controls, and shall provide for review of activity in financial futures contracts by the insurer's board of directors or its designee, as set forth in Section--605-60 subsection (b) below.

- b) Recordkeeping systems must be sufficiently detailed to permit internal auditors and insurance department examiners to determine whether operating personnel have acted in accordance with established policies and procedures, as set forth in Section--605-60 subsection (a) above, and for determination of compliance with other Sections of this Part. Insurer records must identify for each hedging transaction the related financial futures contracts, and the hedged items and the risks being reduced by the hedging transaction.

- c) Each financial futures contract transaction must be authorized or ratified by the company as provided for in Section 124.1 of the Illinois Insurance Code (Ill. Rev. Stat. 1993 1991, ch. 73, par. 736.1) [215 ILCS 5/124.1].

(Source: Amended at 17 Ill. Reg. 6775, effective April 26, 1993)

Section 805.70 Severability Provision

If any section, Section or portion of a section Section of this part Part, or the applicability thereof to any person or circumstances, is held invalid by a court, the remainder of this part Part, or the applicability of such provision to other persons or circumstances, shall not be affected thereby.

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NOTICE OF ADOPTED AMENDMENTS

1) Heading of Part: Purchasing and Selling Call and Put Options Contracts

2) Code Citation: 50 Ill. Adm. Code 802

3) Section Number: Adopted Action:

802.10 Amended
802.20 Amended
802.30 Amended
802.40 Amended
802.50 Amended
802.60 Amended
802.70 Amended
802.80 Amended

4) Statutory Authority: Implementing Article VIII and Section 133 and authorized by Sections 125.24a and 401 of the Illinois Insurance Code (215 ILCS 5/124, 5/133, 5/125.24a and 5/401)

5) Effective Date of Amendment: April 26, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference?
No

8) Date filed in Agency's Principal Office: April 26, 1993

9) Notice of Proposal Published in Illinois Register:

December 15, 1992, 17 Ill. Reg. 44

10) Has JCAR issued a Statement of Objections to this rule? No

11) Difference(s) between proposal and final version: No substantive changes have been made.

12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes

13) Will this amendment replace an emergency rule currently in effect? Yes

14) Are there any amendments pending on this Part? No

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15) Summary and Purpose of rulemaking: On December 11, 1992, the Chicago Board of Trade began issuing catastrophic insurance futures and options contracts and homeowners insurance futures and options contracts. This proposed amendment will clearly establish that insurance company investment in these instruments will be regulated under Section 125.23a of the Insurance Code and this Part. This Part will define specific accounting and statutory reporting requirements for insurance futures investments. Further, it restricts such investment to hedging transactions, allowing risk management but prohibiting speculative investment.

16) Information and questions regarding this adopted amendments shall be directed to:

Cindy Stephenson
Department of Insurance
320 West Washington
Springfield, Illinois 62767

The full text of the Adopted Amendment begins on the next page.

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER j: INVESTMENTS OF DOMESTIC COMPANIES

PART 802
PURCHASING AND SELLING CALL AND PUT OPTIONS CONTRACTS

- Section 802.10 Authority
802.20 Definitions
802.30 Purchase of Exchange-Traded Call and Put Options
802.40 Sale and Assignment of Call and Exchange-Traded Put Options
802.50 Accounting for Transactions in Call and Put Options
802.60 Valuation
802.70 Administration and Recordkeeping
802.80 Severability Provision

AUTHORITY: Implementing Article VIII and Section 133 and authorized by Sections 125.24a and 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, pars. 736 et seq., 745, 737.24a and 1013) [215 ILCS 5/124 et seq., 133, 125.24a and 401].

SOURCE: Filed February 14, 1977, effective March 1, 1977; amended at 6 Ill. Reg. 2690, effective March 2, 1982; codified at 6 Ill. Reg. 12460; amended at 8 Ill. Reg. 15044, effective August 8, 1984; emergency amendment at 17 Ill. Reg. 163, effective December 15, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 6783, effective April 26, 1993.

Section 802.10 Authority

It is the purpose of this Rule Part to implement Article VIII of the Illinois Insurance Code (Ill. Rev. Stat. 1983 1991, ch. 73, par. 736 et seq.) [215 ILCS 5/124 et seq.] and Section 133 of the Illinois Insurance Code (Ill. Rev. Stat. 1983 1991, ch. 73, par. 745) [215 ILCS 5/133] by setting forth requirements and limitations for domestic companies relating to the purchase of call and put options traded on a registered national securities exchange or a designated commodities exchange; and the sale of call and put options; and by establishing recordkeeping requirements concerning such transactions.

(Source: Amended at 17 Ill. Reg. 6783, effective April 26, 1993)

Section 802.20 Definitions

"Call Option" means an option contract under which the holder of the option contract has the right, in accordance with the terms of the contract, to purchase (or to make a cash settlement in lieu thereof) the amount of the underlying financial instrument covered by the option contract.

"Closing purchase transaction" means the purchase of a call or put option, the effect of which is to reduce or eliminate the obligations of an insurer as a call or put option writer with respect to an option contract or contracts.

"Closing sale transaction" means the writing (sale) of a call or put option, the effect of which is to reduce or eliminate the obligations of an insurer as a call or put option purchaser with respect to an option contract or contracts.

"Commodity Futures Trading Commission" means the federal regulatory agency charged and empowered under the ~~Commodities~~ Commodity Futures Trading Commission Act of 1974 (7 U.S.C. Section 1 et seq.) with regulation of the commodity exchanges or any other agency of the federal government which thereafter succeeds to or shares such power.

"Escrowed securities" means financial instruments owned by an insurance company with respect to which a custodial agreement has been entered.

"Exchange-traded" means traded under the terms and conditions required by, or substantially similar to a ~~National Securities Exchange~~ registered under the Securities and Exchange Act of 1934 (15 U.S.C. Section 78(a) et seq.) which has been authorized to provide a market for option contracts pursuant to Rule 9b-1 of the Securities and Exchange Act of 1934, as amended, or ~~traded~~ traded on a commodity exchange designated as a contract market regulated by the Commodity Futures Trading Commission (Ill. Rev. Stat. 1983 1991, ch. 73, par. 737.24(a)) [215 ILCS 5/125.24(a)].

"Financial futures contract" means an exchange-traded agreement to make or take delivery of, or to make cash settlement in lieu thereof, a specified amount of financial instruments on a specified date, or period of time under terms and conditions regulated by the Commodity Futures Trading Commission.

"Financial instrument" means:
a security, currency, financial futures contract deposit or any other instrument, or index of a group of securities or currencies, deposits or instruments, authorized or permitted under Sections 125.1a through 125.12a7 or Section 125.21a and of the Illinois Insurance Code (Ill. Rev. Stat. 1991, ch. 73, par. 737.1 through 737.12a and 737.21a) [215 ILCS 5/125.1a through 125.12 and 125.21a]; or
an index or pool which is composed of (or is otherwise based upon) insurance-related items; or
a qualifying financial futures contract authorized under Section 125.23a of the Illinois Insurance Code (Ill. Rev. Stat. 1983 1991, ch. 73, par. 737.1a through 737.12a, 737.21a and 737.23a)

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[215 ILCS 5/125.1a through 125.12a, 125.21a and 125.23a].

"Guaranteed funds" means cash or cash equivalents as may be defined from time to time under Federal Reserve Regulation T (12 CFR Section 220.1 et seq., May 20, 1982) or its equivalent successor federal regulation, which are owned by an insurer and with respect to which a guarantee letter has been issued.

"Guarantee letter" means a letter issued by a bank or trust company organized under the laws of the United States or any state thereunder, and that is subject to the supervision and examination of a federal or state agency, which warrants that the bank or trust company has on deposit on behalf of its customer guaranteed funds sufficient to cover the purchase price of the underlying financial instrument subject to the option contract.

Insurance-related items are those assets, liabilities, revenues or expenses (including groups, combinations or ratios thereof) or other data of an insurance company related to the issuance of insurance policies or reinsurance treaties or the assumption of risk inherent therein, or otherwise related to the business of insurance.

"Margin" includes initial and maintenance margins and means any type of deposit or settlement, made or required to be made with a futures commission merchant, security broker, clearinghouse, or safekeeping agent to ensure performance of the terms of the option contract. For purposes of this Part, "maintenance margin" includes "variance margin".

"Put option" means an option contract under which the holder of the contract has the right, in accordance with the terms of the contract, to sell (or to make a cash settlement in lieu thereof) the amount of the underlying financial instrument covered by the put option contract.

Qualifying financial futures contract means an exchange-traded contract which is based upon one or more financial instruments or which has been approved in writing by the Director, upon an insurer's demonstrating to the satisfaction of the Director that the use of such contract can reasonably be expected to reduce the price, valuation, interest rate or, with respect to insurance-related items, underwriting or other insurance-related risk to which the insurer is subject, in either case under terms and conditions regulated by the Commodity Futures Trading Commission.

(Source: Amended at 17 Ill. Reg. 6783, effective April 26, 1993)

Section 802.30 Purchase of Exchange-Traded Call and Put Options

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a) Any purchase of exchange-traded call or put options, except in closing purchase transactions, shall be:

1) limited in the aggregate by the purchase of such options to 10% of the excess of its capital and surplus over the minimum requirements of a new stock or mutual company to qualify for a certificate of authority to write the kind of insurance which the company is authorized to write; and

2) evidenced by a trade confirmation or other confirmation of ownership issued to the insurer by an entity duly authorized to do so, as described in the definition of Exchange-Traded in Section 802.20 of this Part.

b) The call option must not give the insurer the right to acquire financial instruments which, when aggregated with current holdings, including potential holdings under Section 125.23a of the Illinois Insurance Code (Ill. Rev. Stat. 1903 1991, ch. 73, par. 737.23a) + [215 ILCS 5/125.23a] exceed applicable limitations contained in Sections 125.1a through Section 125.12a and Section 125.21a of the Illinois Insurance Code (Ill. Rev. Stat. 1903 1991, ch. 73, par. 737.1a through 737.12a and 737.21a) [215 ILCS 5/125.1a through 125.12a and 125.21a] whether or not they are acquired at the delivery date.

(Source: Amended at 17 Ill. Reg. 6783, effective April 26, 1993)

Section 802.40 Sale and Assignment of Call and Exchange-Traded Put Options

a) Any insurer which sells (writes) call options with respect to financial instruments it owns shall:

1) maintain custodial agreements which call for its escrowed securities to be kept segregated by the bank or other custodial agent from other financial instruments owned by the insurer or others, which are deposited with the same bank or custodial agent or in a margin account; and

2) obtain and retain in its possession documentation as required by Section 802.70(b) of this Part for all transactions relating to the escrowed securities.

b) Any insurer which sells (writes) put options guaranteed by funds it owns shall:

1) maintain custodial agreements which call for its guaranteed funds to be kept segregated by the bank or other custodian from other financial instruments owned by the insurer or others which are deposited with the same bank or custodial agent or in a margin account; and

2) obtain and retain in its possession a copy of a guarantee letter identifying with particularity its guaranteed funds so escrowed; and

3) not become potentially obligated through the sale of such put option for the purchase of financial instruments in amounts which, when aggregated with current holdings, including

potential holdings under Section 125.23a of the Illinois Insurance Code (Ill. Rev. Stat. 1983 1991, ch. 73, par. 737.23a) [215 ILCS 5/125.23a] exceed the applicable limitations contained in Section 125.1a through Section 125.12a and Section 125.21a of the Illinois Insurance Code (Ill. Rev. Stat. 1983 1991, ch. 73, pars. 737.1a through 737.12a and 737.21a) [215 ILCS 5/125.1a through 125.12a and 125.21a], whether or not such financial instruments are acquired at the delivery date.

(Source: Amended at 17 Ill. Reg. 6783, effective April 26, 1993)

Section 802.50 Accounting for Transactions in Call and Put Options

a) Accounting procedures for call and put options purchased by an insurance company shall be in accordance with the following principles:

- 1) The consideration paid for the call or put option shall be treated as a deferred asset.
- 2) If the call or put option is exercised without exercise, the expiration shall be treated as a sale of the call or put option on the expiration date, and the resultant loss shall be recognized currently.
- 3) If the call option is exercised, the consideration paid for it shall be added to the price paid for the underlying financial instrument and thus treated as a capital expenditure.
- 4) If the put option is exercised, the consideration paid for it shall be deducted from the price received for the underlying financial instrument and thus treated as a reduction of proceeds.
- 5) If the call or put option is terminated through a closing sale transaction, the difference between the consideration paid in the purchase of the call or put option and the consideration received in the closing sale transaction shall be treated, at the time of such closing sale transaction, as a gain or loss, as the case may be.

b) Accounting procedures for call or put options sold (written) by an insurance company shall be in accordance with the following principles:

- 1) The consideration received for selling the call or put option shall not be included in income at the time of receipt, but shall be carried in a deferred account until one of the following occurs:
 - A) the call or put option expires through the passage of time, or
 - B) the insurer sells the underlying stock financial instrument pursuant to the exercise of the call option, or
 - C) the insurer purchases the underlying financial instrument pursuant to the exercise of the put option, or
 - D) the insurer engages in a closing purchase transaction.

Section 802.60 Valuation

- 2) If the obligation under the call or put option expires through the passage of time, the consideration for the option shall be recognized currently at the time of such expiration.
- 3) If the underlying financial instrument is sold pursuant to the exercise of the call option, the consideration received for the option shall be treated as increasing the amount realized upon the sale of the underlying financial instrument and shall be included in determining capital gain or loss.
- 4) If the underlying financial instrument is purchased pursuant to the exercise of the put option, the consideration received for the option shall be treated as reducing the cost basis of the financial instrument so purchased.
- 5) If the obligation under the call or put option is terminated through a closing purchase transaction, the difference between the consideration received from the sale of the call or put option and the consideration paid in the closing purchase transaction shall be treated, at the time of such closing purchase transaction, as a gain or loss, as the case may be.

(Source: Amended at 17 Ill. Reg. 6783, effective April 26, 1993)

Section 802.60 Valuation

- a) Each exchange-traded call or put stock or stock index option purchased by an insurance company shall be valued at the current market price therefor on a registered national securities exchange. This "mark-to-market" will result in an unrealized gain or loss.
- b) Stock owned by an insurance company with respect to which a call option has been sold shall be valued, so long as the option exists, at the current market price of the stock.
- c) The amount held in a deferred account for call or put stock options sold shall be valued at the current market price. The adjustment will result in an unrealized gain or loss.
- d) The amount held in a deferred account for a call or put option may be valued at cost if the underlying financial instrument:
 - 1) would be carried at amortized cost if acquired by the insurance company, or
- 2) is a debt financial futures or a debt index contract.
- e) Amounts may be deferred for expired or closed options contracts if the contracts are related to uncompleted hedging transactions as defined in 50 Ill. Adm. Code Part 805.
- f) Debt instruments owned by an insurance company with respect to which a call option has been sold shall continue to be valued in the same manner as any other such instruments owned by said company.

(Source: Amended at 17 Ill. Reg. 6783, effective April 26, 1993)

Section 802.70 Administration and Recordkeeping

- a) Prior to engaging in transactions in call and put options, an insurer shall develop and adequately document policies and procedures regarding investment strategies and objectives, recordkeeping needs, and reporting matters. Such policies and procedures shall address authorized investments, investment and liability positions, applicable limitations, authorization and approval procedures, accounting and reporting procedures and controls, and shall provide for review of activity in call and put options by the insurer's board of directors or its designee as set forth in subsection (b) below.
- b) Recordkeeping systems must be sufficiently detailed to permit internal auditors and insurance department examiners to determine whether operating personnel have acted in accordance with policies and procedures established by the insurer pursuant to Section 802.70 subsection (a) above. Insurer records must identify for each hedging transaction the related call and put options, and the hedged items, and the risks being reduced by the hedging transaction.
- c) Each call and put option transaction must receive action be authorized or ratified by the company as provided in Section 124.1 of the Illinois Insurance Code (Ill. Rev. Stat. 1989 1991, ch. 73, par. 736.1) [215 ILCS 5/124.1].

(Source: Amended at 17 Ill. Reg. 6783, effective April 26, 1993)

Section 802.80 Severability Provision

If any Section or portion of a Section of this rule Part, or the applicability thereof to any person or circumstances, is held invalid by a court, the remainder of this rule Part shall not be affected thereby.

(Source: Amended at 17 Ill. Reg. 6783, effective April 26, 1993)

1) Heading of the Part: Aid to Families With Dependent Children

2) Code Citation: 89 Ill. Adm. Code 112

3) Section Number: 112.127
Adopted Action: Amendment

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 4-1 et seq. and 12-13)[305 ILCS 5/4-1 et seq. and 5/12-13]

5) Effective Date of Amendments: April 21, 1993

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: April 21, 1993

9) Notice of Proposal Published in Illinois Register:

December 18, 1992 (16 Ill. Reg. 19642)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version: The text of Section 112.127(b)(3)(A)(ii) was updated to reflect amendments which were adopted effective December 14, 1992, at 16 Ill. Reg. 20147. In addition, three cross-references in subsections (b)(1)(B), (c) and (d)(2) were corrected by the deletion of the "§" symbol.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace Emergency Amendments currently in effect? No

14) Are there any Amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
112.78	Amendment	April 9, 1992 (17 Ill. Reg. 5436)
112.145	Amendment	April 9, 1992 (17 Ill. Reg. 5436)
112.151	Amendment	April 9, 1992 (17 Ill. Reg. 5436)
112.250	Amendment	January 4, 1993 (17 Ill. Reg. 46)
112.252	Amendment	January 4, 1993 (17 Ill. Reg. 46)
112.253	Amendment	January 4, 1993 (17 Ill. Reg. 46)

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112.254 Amendment January 4, 1993 (17 Ill. Reg. 46)
112.370 New Section April 16, 1993 (17 Ill. Reg. 6026)

- 15) Summary and Purpose of Amendments: This rule change conforms agency policy with final federal regulations published July 8, 1992. If a household is ineligible for a specified number of months due to the receipt of a lump-sum payment and someone else moves into the household, a separate case will no longer be established for the new individual. The remaining period of ineligibility for the entire household will be recomputed based on the new higher standard of need.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Judy Umunna
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112
AID TO FAMILIES WITH DEPENDENT CHILDREN

SUBPART A: GENERAL PROVISIONS

Section
112.1 Description of the Assistance Program
112.5 Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section
112.8 Caretaker Relative
112.9 Client Cooperation
112.10 Citizenship
112.20 Residence
112.30 Age
112.40 Relationship
112.50 Living Arrangement
112.52 Social Security Numbers
112.54 Assignment of Medical Support Rights
112.60 Lack of Parental Support or Care
112.61 Death of a Parent
112.62 Incapacity of a Parent
112.63 Continued Absence of a Parent
112.64 Unemployment of the Parent

SUBPART C: PROJECT CHANCE

Section
112.70 Participation Requirements For Project Chance
112.71 Individuals Exempt From Project Chance
112.72 Project Chance Participation/Cooperation Requirements
112.73 Failure to Participate with the Work Incentive Demonstration Program (Renumbered)
112.74 Project Chance Initial Assessment Process/Development of an Employability Plan
112.76 Project Chance Orientation
112.77 Conciliation and Fair Hearings
112.78 Project Chance Components
112.79 Project Chance Sanctions
112.80 Good Cause for Failure to Comply With Project Chance Participation Requirements
112.81 Responsible Relative Eligibility For Project Chance

112.82 Project Chance Supportive Services
112.83 Young Parents Program
112.84 Work Experience Evaluation Project
112.85 Four Year College/Vocational Training Demonstration Project

SUBPART E: PROJECT ADVANCE

112.86 Project Advance
112.87 Project Advance Experimental and Control Groups
112.88 Project Advance Participation Requirements of Experimental Group
Members and Adjudicated Fathers
112.89 Project Advance Cooperation Requirements of Experimental Group
Members and Adjudicated Fathers
112.90 Project Advance Sanctions
112.91 Good Cause for Failure to Comply with Project Advance
112.93 Individuals Exempt from Project Advance
112.95 Project Advance Supportive Services

SUBPART F: EXCHANGE PROGRAM

Section
112.98 Exchange Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section
112.100 Unearned Income
112.101 Unearned Income of Stepparent or Parent
112.105 Budgeting Unearned Income
112.106 Budgeting Unearned Income of Applicants Employed On Date of
Application And/Or Date Of Decision
112.107 Initial Receipt of Unearned Income
112.108 Termination of Unearned Income
112.110 Exempt Unearned Income
112.115 Education Benefits
112.120 Incentive Allowances
112.125 Unearned Income In-Kind
112.126 Earmarked Income
112.127 Lump Sum Payments
112.128 Protected Income
112.130 Earned Income
112.131 Earned Income Tax Credit
112.132 Budgeting Earned Income
112.133 Budgeting Earned Income of Applicants Employed On Date of
Application And/Or Date Of Decision
112.134 Initial Employment
112.135 Budgeting Earned Income For Contractual Employees

112.136 Budgeting Earned Income For Non-Contractual School Employees
112.137 Termination of Employment
112.138 Transitional Payments (Repealed)
112.140 Exempt Earned Income
112.141 Earned Income Exemption
112.142 Exclusion From Earned Income Exemption
112.143 Recognized Employment Expenses
112.144 Income From Work/Study/Training Program
112.145 Earned Income From Self-Employment
112.146 Earned Income From Roomer and Boarder
112.147 Income From Rental Property
112.148 Payments from the Illinois Department of Children and Family
Services
112.149 Earned Income In-Kind
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112.153 Deferral of Consideration of Assets
112.154 Property Transfers (Repealed)
112.155 AFDC Income Limit

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112.252 Payment Levels in AFDC Group I Counties
112.253 Payment Levels in AFDC Group II Counties
112.254 Payment Levels in AFDC Group III Counties

SUBPART I: OTHER PROVISIONS

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112.300 Persons Who May Be Included in the Assistance Unit
112.301 Presumptive Eligibility
112.302 Monthly Reporting
112.303 Retrospective Budgeting
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112.305 Strikers
112.306 Foster Care Program
112.307 Responsibility of Sponsors of Aliens
112.308 Special Needs Authorizations
112.309 Institutional Status
112.315 Young Parent Program (Renumbered)
112.320 Redetermination of Eligibility
112.330 Extension of Medical Assistance Due to Increased Income from
Employment

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112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
 112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)
 112.340 New Start Payments to Individuals Released from Department of Corrections Facilities

SUBPART J: CHILD CARE

Section
 112.350 Child Care Eligibility
 112.352 Child Care Eligibility
 112.354 Qualified Provider
 112.356 Notification of Available Services
 112.358 Participant Rights and Responsibilities
 112.362 Additional Service to Secure or Maintain Child Care Arrangements
 112.364 Rates of Payment for Child Care
 112.366 Method of Providing Child Care
 112.370 Non-JOBS Education and Training Program

EMERGENCY

SUBPART K: TRANSITIONAL CHILD CARE

Section
 112.400 Transitional Child Care Eligibility
 112.404 Duration of Eligibility for Transitional Child Care
 112.406 Loss of Eligibility for Transitional Child Care
 112.408 Qualified Child Care Providers
 112.410 Notification of Available Services
 112.412 Participant Rights and Responsibilities
 112.414 Child Care Overpayments and Recoveries
 112.416 Fees for Service for Transitional Child Care
 112.418 Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 4-1 et seq. and 12-13) [305 ILCS 5/4-1 et seq. and 5/12-13]

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3

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Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 511, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill.

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Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective

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January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section 112.127 Lump Sum Payments

- a) Income received either in the form of a one-time only payment that does not continue on a regular basis or in the form of a retroactive

NOTICE OF ADOPTED AMENDMENTS

Section 112.127(a) (continued)

payment for income that continues on a regular basis is considered non-recurring lump sum income (i.e., a lump sum payment). Examples of non-recurring lump sum income are retroactive social security payments, retroactive unemployment insurance benefits, personal injury settlements, workers compensation injury settlements, lottery winnings, inheritances and insurance settlements.

- b) Any portion of the lump sum payment used to pay for expenses incurred as a result of the lump sum payment shall be exempt from consideration as non-recurring lump sum income as follows:

- 1) Personal Injury Settlement - That portion of a personal injury payment is exempt which is used to pay for:
 - A) necessary costs of litigation or settlement, including attorney's fees;
 - B) the Department's charge (See 89 Ill. Adm. Code 102.260);
 - C) medical costs resulting from the injury and paid by the client;
 - D) expenses to repair or replace personal property which was damaged as a result of the injury.

- 2) Workers' Compensation Payment - That portion of a Workers' Compensation payment is exempt which is used to pay for:

- A) necessary costs of litigation or settlement, including attorney's fees;
- B) medical costs resulting from the injury and paid by the client.

- 3) Insurance Payments

- A) Insurance Payments - That portion of an insurance payment received due to loss is exempt when used to:

- i) Repair or replace a lost or damaged resource including but not limited to repair or replacement of home, furniture, or clothing lost or damaged in a fire or flood and repair or replacement of a car as a result of an accident or fire;

NOTICE OF ADOPTED AMENDMENTS

Section 112.127(b)(3)(A) (continued)

- ii) Pay the funeral/burial or medical expenses of an insured where the client is the beneficiary of the insured's life insurance policy.

- B) Any insurance proceeds not spent or contracted to be spent as specified in subsection (b)(3)(A) within 60 days of receipt shall be budgeted as non-recurring lump sum income. A payment receipt shall be required as verification of any insurance-related expenses claimed as exempt under subsection (b)(3)(A).

- c) If the assistance unit receives lump sum payment income in any month which, together with all other income received, after application of the appropriate income deductions and exemptions of this Part, exceeds the applicable standard of need for that unit size (See 89 Ill. Adm. Code 111.101), the assistance unit is ineligible for assistance for a specific period of time. The period of time of ineligibility is the whole number of months the total income received by the assistance unit (minus the deductions and exemptions) would meet the applicable standard of need. Any of this income left over after the above calculation shall be considered as income in the first month following the period of ineligibility.

- d) The assistance unit may apply to have the ineligibility period caused by receipt of non-recurring lump sum income shortened. The ineligibility period shall be shortened in the following situations:

- 1) When the non-recurring lump sum payment or a portion of the payment becomes unavailable to the family because the family incurs a loss due to fire, flood or natural disaster which occurred during the ineligibility period. That amount of the lump sum payment the client spends or contracts to spend within sixty (60) days of the fire, flood or natural disaster to repair or replace the lost or damaged property shall be deducted from the lump sum income when recalculating the period of ineligibility.

- 2) When the non-recurring lump sum payment or a portion of the lump sum payment becomes unavailable to the client due to payment of medical expenses which were incurred by a family member and paid in a month during the period of ineligibility caused by receipt of a lump sum payment. Only those expenses which the Department allows toward meeting spenddown (See 89 Ill. Adm. Code 140.3) shall be considered allowable medical deductions when recalculating the period of ineligibility. The allowable medical expenses must have been incurred and paid during the

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 112.127(d)(2) (continued)

ineligibility period. A payment receipt shall be required as verification.

- 3) When an individual who is otherwise eligible to be included in the assistance unit joins the assistance unit (e.g. newborn, return of a child or an adult) during the period of ineligibility caused by receipt of the lump sum payment. The increased standard of need for the new assistance unit size (See 89 Ill. Adm. Code 111.101) shall be used to recalculate the remaining period of ineligibility for the entire household.

- e) When an eligible dependent child joins the assistance unit during the period of ineligibility caused by receipt of a lump sum payment, a separate grant case may be established to provide cash and medical assistance for the new child. The period of ineligibility shall not change when an adult moves into the assistance unit.

(Source: Amended at 17 Ill. Reg. 6792, effective April 21, 1993)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Aid to The Aged, Blind or Disabled

- 2) Code Citation: 89 Ill. Adm. Code 113

- 3) Section Numbers: Adopted Action:

113.253 Amendment
113.260 Amendment
113.309 New Section
113.450 New Section

- 4) Statutory Authority: Sections 3-1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq. and 12-13)[305 ILCS 5/3-1 et seq. and 5/12-13]

- 5) Effective Date of Amendments: April 21, 1993

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do these Amendments contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: April 21, 1993

- 9) Notice of Proposals Published in Illinois Register:

Sections 113.253 and 113.260

January 22, 1993 (17 Ill. Reg. 702)

Sections 113.309 and 113.450

November 20, 1992 (16 Ill. Reg. 17457)

- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

- 11) Differences between proposal and final version: No substantive changes were made to the text of the Amendments.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will these Amendments replace Emergency Amendments currently in effect?

Sections 113.253 and 113.260

No

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NOTICE OF ADOPTED AMENDMENTS

Sections 113.309 and 113.450

Yes

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendments:

Sections 113.253 and 113.260

To comply with federal regulations, this rulemaking increases the grant adjustment and shelter care rate amounts by the amount of the increase in the SSI benefit to ensure that the cost of living increase is passed on to the recipient.

Sections 113.309 and 113.450

This rulemaking limits payments to AABD and Interim Assistance applicants who have emigrated to Illinois from other states. If an applicant has moved to Illinois from another state and received financial assistance from that state under a program that is equivalent to the AABD State Supplemental Payment, Interim Assistance or General Assistance programs during any of the twelve months immediately preceding the date the applicant's current Illinois residency began, the applicant is eligible to receive assistance in an amount no greater than the amount of comparable assistance received from the other state for the first twelve months of residency in Illinois.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Judy Umunna
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

ILLINOIS REGISTER
DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 113
AID TO THE AGED, BLIND OR DISABLED

SUBPART A: GENERAL PROVISIONS

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113.60	Living Arrangement
113.70	Institutional Status
113.80	Social Security Number

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

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113.100	Budgeting Unearned Income
113.101	Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.102	Initial Receipt of Unearned Income
113.103	Termination of Unearned Income
113.104	Unearned Income In-Kind
113.105	Earmarked Income
113.106	Lump Sum Payments and Income Tax Refunds
113.107	Protected Income (Repealed)
113.108	Protected Income (Repealed)
113.109	Earned Income (Repealed)
113.110	Budgeting Earned Income (Repealed)
113.111	Protected Income
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113.114	Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
113.115	Initial Employment
113.116	Budgeting Earned Income For Contractual Employees

DEPARTMENT OF PUBLIC AID

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113.117	Budgeting Earned Income For Non-contractual School Employees
113.118	Termination of Employment
113.120	Exempt Earned Income
113.125	Recognized Employment Expenses
113.130	Income From Work/Study/Training Programs
113.131	Earned Income From Self-Employment
113.132	Earned Income From Roomer and Boarder
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113.141	Exempt Assets
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113.154	Property Transfers For Applications Filed Prior To October 1, 1989 (Repealed)
113.155	Property Transfers For Applications Filed On Or After October 1, 1989
113.156	Court Ordered Child Support Payments of Parent/Step-Parent
113.157	Sponsors of Aliens
113.160	Assignment of Medical Support Rights
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Section	
113.245	Payment Levels for AABD
113.246	Personal Allowance
113.247	Personal Allowance Amounts
113.248	Shelter
113.249	Utilities and Heating Fuel
113.250	Laundry
113.251	Telephone
113.252	Transportation, Lunches, Special Fees
113.253	Allowances for Increase in SSI Benefits
113.254	Nursing Care or Personal Care in Home Not Subject to Licensing
113.255	Sheltered Care in a Licensed Group Care Facility
113.256	Shopping Allowance
113.257	Special Allowances for Blind and Partially Sighted (Blind Only)
113.258	Home Delivered Meals
113.259	AABD Fuel and Utility Allowances By Area
113.260	Sheltered Care Rates
113.261	Cases in Licensed Intermediate Care Facilities, Licensed Skilled Nursing Facilities, DMHDD Facilities and All Other Licensed Medical Facilities

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

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Section	
113.300	Persons Who May Be Included In the Assistance Unit
113.301	Grandfathered Cases
113.302	Interim Assistance (Repealed)
113.303	Special Needs Authorizations
113.304	Retrospective Budgeting
113.305	Budgeting Schedule
113.306	Purchase and Repair of Household Furniture (Repealed)
113.307	Property Repairs and Maintenance
113.308	Excess Shelter Allowance
113.309	Limitation on Amount of AABD Assistance to Recipients from Other States
113.320	Redetermination of Eligibility
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113.400	Description of the Interim Assistance Program
113.405	Pending SSI Application
113.410	More Likely Than Not Eligible for SSI
113.415	Non-Financial Factors of Eligibility
113.420	Financial Factors of Eligibility
113.425	Payment Levels for Chicago Interim Assistance Cases
113.430	Payment Levels for all Interim Assistance Cases Outside Chicago
113.435	Medical Eligibility
113.440	Attorney's Fees for SSI Applicants
113.445	Advocacy Program for Persons Receiving Interim Assistance
113.450	Limitation on Amount of Interim Assistance to Recipients from Other States
113.500	Attorney's Fees for SSI Appellants (Renumbered)

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq. and 12-13) [305 ILCS 5/3-1 et seq. and 5/12-13]

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3

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Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by sections being codified with no substantive change) at 8

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Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 6996, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. 11142, effective July 22, 1991; amended at 15 Ill. Reg. 11948, effective August 12, 1991; amended at 15 Ill. Reg. 14073, effective September 11, 1991; emergency amendment at 15 Ill. Reg. 15119, effective October 7, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16709, effective November 1, 1991; amended at 16 Ill. Reg. 3468, effective February 20, 1992; amended at 16 Ill. Reg.

NOTICE OF ADOPTED AMENDMENTS

9986, effective June 15, 1992; amended at 16 Ill. Reg. 11565, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13641, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14722, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17154, effective November 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17764, effective November 13, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 827, effective January 15, 1993; amended at 17 Ill. Reg. 2263, effective February 15, 1993; amended at 17 Ill. Reg. 3202, effective February 26, 1993; amended at 17 Ill. Reg. 4322, effective March 22, 1993; amended at 17 Ill. Reg. 6804, effective April 21, 1993.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART D: PAYMENT AMOUNTS

Section 113.253 Allowances for Increase in SSI Benefits

- a) An allowance for \$243-90 \$255.90 is authorized for all AABD cases as a "grant adjustment". A grant adjustment is an allowance that ensures that the amount of the SSI increase from July 1977 and later will be available to clients.
- b) EXCEPTIONS: For clients whose assistance payments include an allowance for Sheltered Care or Care Not Subject to Licensing a "grant adjustment" of \$10.00 is authorized. Individuals receiving Interim Assistance or residing in long term group care facilities do not receive any "grant adjustment".

(Source: Amended at 17 Ill. Reg. 6804, effective April 21 1993).

Section 113.260 Sheltered Care Rates

Group II Counties	Needs Assessment	Group III Counties
\$640-55	0-7	\$652-55
645-55	8	658-55
650-55	9	664-55
655-55	10	670-55
660-55	11	676-55
665-55	12	682-55
670-55	13	688-55
675-55	14	694-55
680-55	15	700-55
685-55	16	706-55

Section 113.260 (continued)

Group II Counties	Needs Assessment	Group III Counties
690-55	17	712-55
695-55	18	718-55
700-55	19	724-55
705-55	20	730-55
710-55	21	736-55
715-55	22	742-55
720-55	23	748-55
725-55	24	754-55

- a) Group II Counties are counties other than Cook, DuPage, Kane, Lake and Will.
- b) Group III Counties are Cook, DuPage, Kane, Lake and Will.

- c) Rate includes shelter factor and approved activity and social rehabilitation programs.

AGENCY NOTE: See 89 Ill. Adm. Code 140.850 through 140.885 for needs assessment guidelines.

(Source: Amended at 17 Ill. Reg. 6804, effective April 21, 1993)

SUBPART E: OTHER PROVISIONS

Section 113.309 Limitation on Amount of AABD Assistance to Recipients from Other States

If an applicant has moved to Illinois from another state and received financial assistance in that state under a program that is equivalent to the AABD State Supplemental Payment program during any of the twelve months immediately preceding the date the applicant's current Illinois residency began, during the first twelve months that the applicant resides in Illinois the applicant is eligible to receive assistance in an amount no greater than the amount of comparable assistance received from the other state.

(Source: Added at 17 Ill. Reg. 6804, effective April 21, 1993)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SUBPART F: INTERIM ASSISTANCE

Section 113.450 Limitation on Amount of Interim Assistance to Recipients from Other States

If an applicant has moved to Illinois from another state and received financial assistance in that state under a program that is equivalent to the Interim Assistance program during any of the twelve months immediately preceding the date the applicant's current Illinois residency began, during the first twelve months that the applicant resides in Illinois the applicant is eligible to receive assistance in an amount no greater than the amount of comparable assistance received from the other state.

(Source: Added at 17 Ill. Reg. 6804, effective April 21, 1993)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: General Assistance2) Code Citation: 89 Ill. Adm. Code 1143) Section Numbers: Adopted Action:

114.223 Amendment

114.252 Amendment

114.406 New Section

4) Statutory Authority: Sections 6-1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 6-1 et seq. and 12-13)[305 ILCS 5/6-1 et seq. and 5/12-13]5) Effective Date of Amendments: April 21, 19936) Does this rulemaking contain an automatic repeal date? No7) Do these Amendments contain incorporations by reference? No8) Date Filed in Agency's Principal Office: April 21, 19939) Notice of Proposal Published in Illinois Register:

Section 114.223

December 18, 1992 (16 Ill. Reg. 19654)

Section 114.252

December 4, 1992 (16 Ill. Reg. 18226)

Section 114.406

November 20, 1992 (16 Ill. Reg. 17459)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No11) Differences between proposal and final version: No substantive changes were made to that text of the amendments.12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes13) Will these Amendments replace Emergency Amendments currently in effect?

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Sections 114.223 and 114.252

No

Section 114.406

Yes

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendments:

Section 114.223

This rule change is being made to conform General Assistance policy with AFDC policy which was revised due to final federal regulations published July 8, 1992. If a household is ineligible for a specified number of months due to the receipt of a lump-sum payment and someone else moves into the household, a separate case will no longer be established for the new individual. The remaining period of ineligibility for the entire household will be recomputed based on the new higher standard of need. This rule change also exempts that portion of a life insurance payment used to pay the funeral, burial and medical expenses of the deceased. It applies to GA recipients who receive a life insurance settlement.

Section 114.252

This rulemaking implements a law change requiring that the General Assistance asset disregard for homeless individuals be the same as the AFDC asset disregard.

Section 114.406

These amendments limit payments to General Assistance applicants who have emigrated to Illinois from other states. If an applicant has moved to Illinois from another state and received financial assistance from that state under a program that is equivalent to the General Assistance program during any of the twelve months immediately preceding the date the applicant's current Illinois residency began, the applicant is eligible to receive assistance in an amount no greater than the amount of comparable assistance received from the other state for the first twelve months of residency in Illinois.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Judy Umunna
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMSPART 114
GENERAL ASSISTANCE

SUBPART A: GENERAL PROVISIONS

Section
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Description of the Assistance Program
Determination of Not Employable
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SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

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Client Cooperation
Citizenship
Residence
Age
Relationship
Living Arrangement
Social Security Numbers
Work Registration Requirements (Outside City of Chicago only)
Individuals Exempt From Work Registration Requirements (Outside City of Chicago only)
Job Service Registration (Outside City of Chicago only)
Failure to Maintain Current Job Service Registration (Outside City of Chicago only)
Responsibility to Seek Employment (Outside City of Chicago only)
Initial Employment Expenses (Outside City of Chicago only)
Downstate General Assistance Work and Training Programs
Downstate General Assistance - Food Stamps Employment and Training Pilot Project
Project Chance Participation/Cooperation Requirements (Renumbered)
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Project Advance
Project Advance Participation Requirements of Adjudicated Fathers
Project Advance Cooperation Requirements of Adjudicated Fathers
Project Advance Sanctions
Project Advance Good Cause for Failure to Comply
Individuals Exempt From Project Advance
Project Advance Supportive Services

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SUBPART D: EMPLOYMENT AND TRAINING REQUIREMENTS

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114.121
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Employment and Training Requirements
Persons Required to Participate in Project Chance (Repealed)
Advocacy Program for Persons Who Have Applied for Supplemental Security Income (SSI) Under Title XVI of the Social Security Act (Repealed)

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Persons in Need of Work Rehabilitative Services (WRS) to Become Employable (Repealed)
Employment and Training Participation/Cooperation Requirements (Repealed)
Employment and Training Program Orientation (Repealed)
Employment and Training Program Full Assessment Process/Development of an Employment Plan (Repealed)

114.127
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114.140

Employment and Training Program Components (Repealed)
Employment and Training Sanctions (Repealed)
Good Cause For Failure to Cooperate With Work and Training Participation Requirements (Repealed)
Employment and Training Supportive Services (Repealed)
Conciliation and Fair Hearings (Repealed)
Employment Child Care (Repealed)

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

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Unearned Income
Budgeting Unearned Income
Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision

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Initial Receipt of Unearned Income
Termination of Unearned Income
Exempt Unearned Income
Education Benefits
Unearned Income In-Kind
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Initial Employment
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Income From Work/Study/Training Program (Repealed)
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DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

114.242 Earned Income From Roomer and Boarder
114.243 Earned Income From Rental Property
114.244 Earned Income In-Kind
114.245 Payments from the Illinois Department of Children and Family Services
114.246 Budgeting Earned Income For Contractual Employees
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114.248 Assets
114.251 Exempt Assets
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114.260 Deferral of Consideration of Assets (Repealed)
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SUBPART F: PAYMENT AMOUNTS

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SUBPART G: OTHER PROVISIONS

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114.400 Persons Who May Be Included in the Assistance Unit
114.401 Eligibility of Strikers
114.402 Special Needs Authorizations
114.403 Institutional Status
114.404 Retrospective Budgeting
114.405 Budgeting Schedule
114.406 Limitation on Amount of General Assistance to Recipients from Other States
114.420 Redetermination of Eligibility
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SUBPART H: CHILD CARE

Section
114.450 Child Care
114.452 Child Care Eligibility
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114.456 Notification of Available Services
114.458 Participant Rights and Responsibilities
114.462 Additional Service to Secure or Maintain Child Care Arrangements
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114.456 Method of Providing Child Care
SUBPART I: TRANSITIONAL CHILD CARE

Section
114.500 Transitional Child Care Eligibility
114.504 Duration of Eligibility for Transitional Child Care
114.506 Loss of Eligibility for Transitional Child Care
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114.510 Notification of Available Services
114.512 Participant Rights and Responsibilities
114.514 Child Care Overpayments and Recoveries
114.516 Fees for Service for Transitional Child Care
114.518 Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 6-1 et seq. and 12-13) [305 ILCS 5/6-1 et seq. and 5/12-13]

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981;

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 111, Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9809, effective August 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5233, effective April 9, 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, effective January 1, 1985; emergency amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. Reg. 10764, effective July 5, 1985; amended at 9 Ill. Reg. 15800, effective October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg. 10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 Ill. Reg. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 Ill. Reg. 2307, effective January 16, 1987; amended at 11 Ill. Reg. 5297, effective March 11, 1987;

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

amended at 11 Ill. Reg. 6238, effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 18311, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 18689, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18791, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20129, effective December 4, 1987; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 889, effective January 1, 1988; SUBPARTS C, D and E recodified to SUBPARTS E, F and G at 12 Ill. Reg. 2147; Section 114.110 recodified to Section 114.52 at 12 Ill. Reg. 2984; amended at 12 Ill. Reg. 3505, effective January 22, 1988; amended at 12 Ill. Reg. 6170, effective March 18, 1988; amended at 12 Ill. Reg. 6719, effective March 22, 1988; amended at 12 Ill. Reg. 9108, effective May 20, 1988; amended at 12 Ill. Reg. 9699, effective May 24, 1988; amended at 12 Ill. Reg. 9940, effective May 31, 1988; amended at 12 Ill. Reg. 11474, effective June 30, 1988; amended at 12 Ill. Reg. 14255, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 14364, effective September 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16729, effective September 30, 1988; amended at 12 Ill. Reg. 20171, effective November 28, 1988; amended at 13 Ill. Reg. 89, effective January 1, 1989; amended at 13 Ill. Reg. 1546, effective January 20, 1989; amended at 13 Ill. Reg. 3900, effective March 10, 1989; amended at 13 Ill. Reg. 8580, effective May 20, 1989; emergency amendment at 13 Ill. Reg. 16169, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 16015, effective October 6, 1989; amended at 14 Ill. Reg. 746, effective January 1, 1990; amended at 14 Ill. Reg. 3640, effective February 23, 1990; amended at 14 Ill. Reg. 6360, effective April 16, 1990; amended at 14 Ill. Reg. 10929, effective June 20, 1990; amended at 14 Ill. Reg. 13215, effective August 6, 1990; amended at 14 Ill. Reg. 13777, effective August 10, 1990; amended at 14 Ill. Reg. 14162, effective August 17, 1990; amended at 14 Ill. Reg. 17111, effective September 30, 1990; amended at 15 Ill. Reg. 288, effective January 1, 1991; amended at 15 Ill. Reg. 5710, effective April 10, 1991; amended at 15 Ill. Reg. 11164, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 15144, effective October 7, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3512, effective February 20, 1992; emergency amendment at 16 Ill. Reg. 4540, effective March 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 11662, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 13297, effective August 15, 1992; emergency amendment at 16 Ill. Reg. 13651, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14769, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17772, effective November 13, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 18815, effective November 24, 1992; amended at 17 Ill. Reg. 1091, effective January 15, 1993; amended at 17 Ill. Reg. 2277, effective February 15, 1993; amended at 17 Ill. Reg. 3639, effective February 26, 1993; amended at 17 Ill. Reg.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

3255, effective March 1, 1993; amended at 17 Ill. Reg. 6814, effective April 21, 1993.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section 114.223 Lump Sum Payments

a) Income received either in the form of a one-time only payment that does not continue on a regular basis or in the form of a retroactive payment for income that continues on a regular basis is considered non-recurring lump sum income (i.e., a lump sum payment). Examples of non-recurring lump sum income are retroactive social security payments, retroactive unemployment insurance benefits, personal injury settlements, workers compensation injury settlements, lottery winnings, inheritances and insurance settlements.

b) Any portion of the lump sum payment used to pay for expenses incurred as a result of the lump sum payment shall be exempt from consideration as non-recurring lump sum income as follows:

1) Personal Injury Settlement - That portion of a personal injury payment is exempt which is used to pay for:

- A) necessary costs of litigation or settlement, including attorney's fees;
- B) the Department's charge (See 89 Ill. Adm. Code 102.260);
- C) medical costs resulting from the injury and paid by the client;
- D) expenses to repair or replace personal property which was damaged as a result of the injury.

2) Workers' Compensation Payment - That portion of a Workers' Compensation payment is exempt which is used to pay for:

- A) necessary costs of litigation or settlement, including attorney's fees;
- B) medical costs resulting from the injury and paid by the client.

3) Insurance Payments

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 114.223(b)(3) (continued)

A) Insurance Payments - That portion of an insurance payment received due to loss is exempt when used to:

i) Repair or replace a lost or damaged resource including but not limited to repair or replacement of home, furniture, or clothing lost or damaged in a fire or flood and repair or replacement of a car as a result of an accident or fire;

ii) Pay the funeral/burial or medical expenses not-in-excess-of-\$1500.00 of an insured where the client is the beneficiary of the insured's life insurance policy.

B) Any insurance proceeds not spent or contracted to be spent as specified in subsection (b)(3)(A) within 60 days of receipt shall be budgeted as non-recurring lump sum income. A payment receipt shall be required as verification of any insurance-related expense claimed as exempt under subsection (b)(3)(A).

c) If the assistance unit receives lump sum payment income in any month which, together with all other income received, after application of the appropriate income deductions and exemptions of this Part, exceeds the applicable standard of need for that unit size (See 89 Ill. Adm. Code 111.101), the assistance unit is ineligible for assistance for a specific period of time. The period of time of ineligibility is the whole number of months the total income received by the assistance unit (minus the deductions and exemptions) would meet the applicable standard of need. Any of this income left over after the above calculation shall be considered as income in the first month following the period of ineligibility.

d) The assistance unit may apply to have the ineligibility period caused by receipt of non-recurring lump sum income shortened. The ineligibility period shall be shortened in the following situations:

- 1) When the non-recurring lump sum payment or a portion of the payment becomes unavailable to the family because the family incurs a loss due to fire, flood or natural disaster which occurred during the ineligibility period. That amount of the lump sum payment the client spends or contracts to spend within sixty (60) days of the fire, flood or natural disaster to repair or replace the lost or damaged property shall be deducted from the lump sum income when recalculating the period of ineligibility.

NOTICE OF ADOPTED AMENDMENTS

Section 114.223(d) (continued)

- 2) When the non-recurring lump sum payment or a portion of the lump sum payment becomes unavailable to the client due to payment of medical expenses which were incurred by a family member and paid in a month during the period of ineligibility caused by receipt of a lump sum payment. Only those expenses which the Department allows toward meeting spending (See 89 Ill. Adm. Code 140.3) shall be considered allowable medical deductions when recalculating the period of ineligibility. The allowable medical expenses must have been incurred and paid during the ineligibility period. A payment receipt shall be required as verification.

e) When an eligible child joins the assistance unit during the period of ineligibility caused by receipt of a lump sum payment, a separate grant case may be established to provide each and medical assistance for the new child. The period of ineligibility shall not change when an adult moves into the assistance unit.

- 3) When an individual who is otherwise eligible to be included in the assistance unit joins the assistance unit (e.g. newborn, return of a child or an adult) during the period of ineligibility caused by receipt of the lump sum payment. The increased standard of need for the new assistance unit size (See 89 Ill. Adm. Code 111.101) shall be used to recalculate the remaining period of ineligibility for the entire household.

(Source: Amended at 17 Ill. Reg. 6814, effective April 21, 1993)

Section 114.252 Asset Disregards

- a) In addition to the exempt assets listed in Section 114.251, the cash value of assets shall be disregarded as follows: All assets or the cash value of assets other than those listed in Section 114.251 are non-exempt and must be considered in determining initial or continue eligibility for assistance and level of assistance payment. If the client has non-exempt assets in excess of one month's needs for the assistance unit, the client is not eligible for GA if the client is not considered homeless. If the client is considered homeless, the client's asset disregard is the same as the AFDC asset disregard contained in 89 Ill. Adm. Code 112.152.

- b) For purposes of this Section, an individual is considered homeless if:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

Section 114.252(b) (continued)

- 1) The individual lacks a fixed, regular, and adequate nighttime residence; or
- 2) The individual has a primary nighttime residence that is any of the following:

A) A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including temporary shelters, halfway houses, and transitional housing for individuals with mental illness).

B) An institution that provides a temporary residence for individuals intended to be institutionalized.

C) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

(Source: Amended at 17 Ill. Reg. 6814, effective April 21, 1993)

SUBPART G: OTHER PROVISIONS

Section 114.406 Limitation on Amount of General Assistance to Recipients from Other States

If an applicant has moved to Illinois from another state and received assistance in that state under a program that is equivalent to the General Assistance program during any of the twelve months immediately preceding the date the applicant's current Illinois residency began, the applicant is eligible to receive assistance in an amount no greater than the amount of comparable assistance received from the other state for the first twelve months of residency in Illinois.

(Source: Added at 17 Ill. Reg. 6814, effective April 21, 1993)

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Medical Assistance Programs
- 2) Code Citation: 89 Ill. Adm. Code 120
- 3) Section Numbers: Adopted Action:
- | | |
|--------|-------------|
| 120.70 | Amendment |
| 120.73 | New Section |
| 120.75 | New Section |
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq. and 12-13)(305 ILCS 5/3-1 et seq., 5/4-1 et seq., 5/5-1 et seq., 5/6-1 et seq., 5/7-1 et seq. and 5/12-13)
- 5) Effective Date of Amendments: April 21, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 21, 1993
- 9) Notice of Proposal Published in Illinois Register:
- January 22, 1993 (17 Ill. Reg. 711)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version: The following changes have been made in the text of the amendments:

1. The new ILCS citations have been added following all references to the Ill. Rev. Stat.
 2. In Section 120.70(b)(2), the word "Subsections" has been placed in lower case "s".
 3. In subsection 120.70(c)(1), the word "subsections" has been inserted preceding the reference to "(b)(1)(A)".
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace Emergency Amendments currently in effect? No

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

14) Are there any Amendments pending on this Part? Yes

- | Sections | Proposed Action | Illinois Register Citation |
|----------|-----------------|---------------------------------------|
| 120.61 | Amendment | February 19, 1993 (17 Ill. Reg. 2114) |
- 15) Summary and Purpose of Amendments: Effective January 1, 1993, Section 4501 of the Omnibus Budget Reconciliation Act (OBRA) of 1990 requires payment of Medicare Part B premiums for certain individuals. These persons are referred to as Specified Low-Income Medicare Beneficiaries (SLIBs). They are persons who meet all the eligibility requirements for Qualified Medicare Beneficiary (QMB) status except income is more than the QMB income limit but does not exceed 110 percent of the Federal Poverty Level (FPL).

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Judy Umunna
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120
MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section
120.1

Incorporation By Reference

SUBPART B: ASSISTANCE STANDARDS

Section
120.10
120.11

Eligibility For Medical Assistance
Eligibility For Medical Assistance For Pregnant Women and Children
Born October 1, 1983, or Later Who Do Not Qualify As Mandatory
Categorically Needy

120.12
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Healthy Start - Medicaid Presumptive Eligibility Program For
Pregnant Women
MANG(AABD) Income Standard
MANG(C) Income Standard
MANG(P) Income Standard
Exceptions To Use Of MANG Income Standard
AMI Income Standard (Repealed)

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section
120.60

All Cases Other Than Intermediate Care, Skilled Nursing Care,
DMHDD, DMHDD Approved Community Based Settings and Pregnant Women
and Children Born October 1, 1983, or Later Who Do Not Qualify As
Mandatory Categorically Needy

120.61

Cases in Intermediate Care, Skilled Nursing Care and DMHDD -
MANG(AABD) and All Other Licensed Medical Facilities
Department of Mental Health and Developmental Disabilities (DMHDD)
Approved Home and Community Based Residential Settings Under 89
Ill. Adm. Code 140.643

120.63

Department of Mental Health and Developmental Disabilities (DMHDD)
Approved Home and Community Based Residential Settings

120.64

Pregnant Women and Children Born October 1, 1983, or Later Who Do
Not Qualify As Mandatory Categorically Needy

120.65

Department of Mental Health and Developmental Disabilities (DMHDD)
Licensed Community - Integrated Living Arrangements

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

Section
120.70
120.72
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120.76

Supplementary Medical Insurance Benefits, (SMIB) Buy-In Program
Eligibility for Medicare Cost Sharing as a Qualified Medicare
Beneficiary (QMB)
Eligibility for Medicaid Payment of Medicare Part B Premiums as a
Specified Low-Income Medicare Beneficiary (SLIB)
Qualified Medicare Beneficiary (QMB) Income Standard
Specified Low-Income Medicare Beneficiary (SLIB) Income Standard
Hospital Insurance Benefits (HIB)

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section
120.80

Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section
120.90
120.91

Migrant Medical Program
Income Standards

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Relationship (Repealed)
Living Arrangement (Repealed)
Supplemental Payments (Repealed)
Institutional Status (Repealed)
Foster Care Program (Repealed)
Social Security Numbers (Repealed)
Unearned Income (Repealed)
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Protected Income (Repealed)
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120.272	Earned Income From Self-Employment (Repealed)
120.273	Earned Income From Roomer and Boarder (Repealed)
120.275	Earned Income In-Kind (Repealed)
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120.280	Assets (Repealed)
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120.283	Deferral of Consideration of Assets (Repealed)
120.284	Spend-down of Assets (AMI) (Repealed)
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120.379	Assessment of Assets
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120.381	Exempt Assets
120.382	Asset Disregard
120.383	Deferral of Consideration of Assets
120.384	Spend-down of Assets (MANG)
120.385	Property Transfers for Applications Filed Prior to October 1, 1989 (Repealed)
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120.390	Persons Who May Be Included in the Assistance Unit
120.391	Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Children Born October 1, 1983, or Later
120.392	Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
120.393	Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project.
120.395	Payment Levels for MANG
120.399	Redetermination of Eligibility
AUTHORITY: Implementing Articles III, IV, V, VI and VII and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)[305 ILCS 5/3-1 et seq., 5/4-1 et seq., 5/5-1 et seq., 5/6-1 et seq., 5/7-1 et seq. and 5/12-13]	
SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency	

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amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding sections being codified with no

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substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 13243, effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency expired November 25, 1989; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15404, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16586, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 17483, effective October 31, 1989; amended at 13 Ill. Reg. 17838, effective November 8, 1989; amended at 13 Ill. Reg. 18872, effective November 17, 1989; amended at 14 Ill. Reg. 760, effective January 1, 1990; emergency amendment at

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14 Ill. Reg. 1494, effective January 2, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 4233, effective March 5, 1990; emergency amendment at 14 Ill. Reg. 5839, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 6372, effective April 16, 1990; amended at 14 Ill. Reg. 7637, effective May 10, 1990; amended at 14 Ill. Reg. 10396, effective June 20, 1990; amended at 14 Ill. Reg. 13227, effective August 6, 1990; amended at 14 Ill. Reg. 14814, effective September 3, 1990; amended at 14 Ill. Reg. 17004, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 348, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5302, effective April 1, 1991; amended at 15 Ill. Reg. 10101, effective June 24, 1991; amended at 15 Ill. Reg. 11973, effective August 12, 1991; amended at 15 Ill. Reg. 12747, effective August 16, 1991; amended at 15 Ill. Reg. 14105, effective September 11, 1991; amended at 15 Ill. Reg. 14240, effective September 23, 1991; amended at 16 Ill. Reg. 139, effective December 24, 1991; amended at 16 Ill. Reg. 1862, effective January 20, 1992; amended at 16 Ill. Reg. 10034, effective June 15, 1992; amended at 16 Ill. Reg. 11582, effective July 15, 1992; amended at 16 Ill. Reg. 17290, effective November 3, 1992; amended at 17 Ill. Reg. 1102, effective January 15, 1993; amended at 17 Ill. Reg. 6827, effective April 21, 1993.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

Section 120.70 Supplemental Medical Insurance Benefits, (SMIB) Buy-In Program

a) The Department shall pay the premium for Supplementary Medical Insurance benefits (SMIB) (Part B of Medicare) for specified clients in accordance with the buy-in agreement with the Social Security Administration (SSA) and the Medicare Catastrophic Coverage Act of 1988 (P.L. 100-360). Individuals may previously have enrolled in SMIB themselves or they will be enrolled by the Department.

b) Eligible Individuals

1) The Department shall pay the SMIB premium for the following individuals:

A) individuals who receive financial assistance (including zero grant) under the AABD or AFDC program;

B) individuals who, except for the Social Security benefit increase of 1972 (42 CFR 435.134), would still be eligible to receive cash assistance as an aged, blind or disabled person (89 Ill. Adm. Code 113) and who are eligible for both SMIB and the Department's Medicaid program (89 Ill. Adm. Code 120);

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Section 120.70(b)(1) (continued)

C) individuals with Supplemental Security Income (SSI) income who receive full Medicaid benefits under the AABD program; and

D) Qualified Medicare Beneficiaries (QMB)s (see Section 120.72).

E) Specified Low-Income Medicare Beneficiaries (SLIB)s (see Section 120.73).

2) Individuals who qualify under Subsections (b)(1)(A) thru (b)(1)(C) above may include individuals not eligible for Part A of Medicare (see Title XVIII of the Social Security Act).

c) Beginning Eligibility

1) Individuals who qualify under subsections (b)(1)(A), (b)(1)(B) or (b)(1)(C) shall be added to the SMIB Buy-in Program for the first month in which they are eligible for both SMIB enrollment and medical assistance. Recipients shall remain in the Buy-in Program while in \$0 grant status and for any month in which they qualify under (b)(1)(A) thru (b)(1)(D) above.

2) Individuals who qualify under subsection (b)(1)(D) shall be added to the SMIB Buy-in Program for the first month following the month in which they are determined eligible for QMB status. Recipients shall remain in the SMIB Buy-in Program for any month in which they qualify under subsection (b)(1)(A) thru (b)(1)(D) above.

3) Individuals who qualify under subsection (b)(1)(E) may be added to the SMIB Buy-in Program effective three months prior to the month of application for SLIB benefits only or SLIB benefits and medical assistance.

(Source: Amended at 17 Ill. Reg. 6827, effective April 21, 1993)

Section 120.73

Eligibility for Medicaid Payment of Medicare Part B Premiums as a Specified Low-Income Medicare Beneficiary (SLIB)

a) Eligibility for Medicaid payment of Medicare Part B premiums exists for Specified Low-Income Medicare Beneficiaries (SLIB)s. A SLIB is an individual who:

Section 120.73(a) (continued)

- 1) is a beneficiary of Medicare Part A (i.e. Hospital Insurance);
- 2) meets the general non-financial factors of eligibility for the Medicaid Program (see Sections 120.310, 120.311, 120.319 and 120.325);
- 3) has countable monthly income which exceeds the Qualified Medicare Beneficiary (OMB) income standard (see Section 120.74), but is less than or equal to the SLIB income standard; and
- 4) has countable assets which do not exceed the OMB asset disregard (see Section 120.382(d)).

b) When considering Social Security Benefits, the monthly amount to consider for January through the month following the month in which the annual Federal Poverty Level amounts are announced will not include the annual Retirement Survivors Disability Insurance (RSDI) Cost of Living Adjustment (COLA). For all other months of the year the full amount of RSDI benefits will be considered.

c) SLIBs may be eligible for the full range of Medicaid services (see 89 Ill. Adm. Code 140) only if they meet all eligibility requirements for Medicaid (see 89 Ill. Adm. Code 120).

d) Eligibility for Medicaid Payment of Medicare Part B premiums is effective three months prior to the month of application.

e) SLIBs are eligible for Medicaid payment of Medicare Part B premiums. (See Title XVIII of the Social Security Act.) in accordance with Sections 120.70 and 89 Ill. Adm. Code 140.21.

f) Eligibility for SLIB status will be redetermined at least every twelve (12) months.

(Source: Added at 17 Ill. Reg. 6827, effective April 21, 1993)

Section 120.75 Specified Low-Income Medicare Beneficiary (SLIB) Income Standard

The SLIB income standard is equal to a percentage of the then current Federal Poverty Level Income Guidelines as published annually in the Federal Register for the size of the household. If the household's countable monthly income (see 89 Ill. Adm. Code 112, 113, 120) exceeds the SLIB income standard, eligibility for SLIB status does not exist. The applicable percentage is as follows:

Section 120.75 (continued)

January - December 1993 - 110%

(Source: Added at 17 Ill. Reg. 6827, effective April 21, 1993)

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- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers: Adopted Action:
 140.19 Amendment
 140.511 Amendment
 140.539 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13) [305 ILCS 5/12-13]
- 5) Effective Date of Amendments: April 21, 1993
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 21, 1993
- 9) Notice of Proposal Published in Illinois Register:
 Section 140.19
 January 4, 1993 (17 Ill. Reg. 62)
 Section 140.511
 November 20, 1992 (16 Ill. Reg. 17461)
 Section 140.539
 December 18, 1992 (16 Ill. Reg. 19665)
- 10) Has JC&R issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version:
 Sections 140.19 and 140.539
- There are no differences between the proposed amendments and the final versions.
- Section 140.511
- The following changes have been made in the proposed amendments.

The unlabeled, introductory paragraph in Section 140.511 has been revised to read:

Skilled nursing facilities and intermediate care facilities (SNF and ICF) and intermediate care facilities for the mentally retarded (ICF/MR) providing long term care to Medicaid eligible residents shall provide the following services at no additional charge:

Subsection (c) has been revised to read:

(c) Food substitutes and nutritional supplements;

Subsection (e) has been revised to read:

(e) Over-the-counter drugs or items ordered by a physician (including but not limited to, drugs and items listed in the Department's Long Term Care Provider Handbook, Appendix C-26, and excluding drugs and items reimbursed under the Department's Drug Program); and

Subsection (f) has been revised to read:

(f) All other services necessary for compliance with the requirements of the Department of Public Health as set forth in the Skilled Nursing and Intermediate Care Facilities Code (77 Ill. Adm. Code 300) and the Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350).

12) Have all the changes agreed upon by the agency and JC&R been made as indicated in the agreement letter issued by JC&R? Yes

13) Will these Amendments replace Emergency Amendments currently in effect? No

14) Are there any Amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
140.648	Amendment	November 13, 1992 (16 Ill. Reg. 17209)

15) Summary and Purpose of Amendments:

Section 140.19

The Department of Public Aid has made a minor correction in its rules on medical vendor participation in the medical assistance program. The change deletes the word "automatically" from Section 140.19(b) which concerns the reinstatement of medical vendors after a period of

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suspension. The Department believes that the term "automatically" in this provision is misleading because several conditions are specified that must be met before the reinstatement. The Department had included the deletion of the term "automatically" in amendments proposed on March 27, 1992 (16 Ill. Reg. 4708); however, the deletion of the term "automatically" was inadvertently omitted from the adoption of those amendments (16 Ill. Reg. 19146). These amendments will correct that omission.

Section 140.511

These amendments provide clarifications regarding coverage of costs by the Department, for services and routine supplies and equipment provided in long term care facilities. The current rule specifies that certain services are to be available in facilities with no additional charges. According to the amendments, over-the-counter drugs and items ordered by a physician are also to be provided without additional charge.

The Department's policy has been that facilities are responsible for over-the-counter drugs and other items ordered by physicians to meet clients' needs. The costs of supplies for which facilities are responsible can be reported to the Department in the facility's cost report and compensatory reimbursement adjustments can then be made to protect facilities from harm.

Subsection f) has been updated to reflect the new title of the administrative code of the Illinois Department of Public Health, which pertains to nursing facilities.

Section 140.539

These amendments prohibit nursing facilities from charging a nurse's aide for any part of a nurse's aide training and competency evaluation program. This prohibition is applicable when the nurse's aide is employed by the facility or has received an employment offer from the facility, on or before the date the aide begins the program. The prohibition pertains to all program components including fees for text books and other required course materials. These amendments are in compliance with federal regulations found at 42 CFR 483.152(c)(1).

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16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Joanne Jones
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF PUBLIC AID

SUBCHAPTER d: MEDICAL PROGRAMS

PART 140

MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section

- 140.1 Incorporation By Reference
- 140.2 Medical Assistance Programs
- 140.3 Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Children Under Age Eight Who Do Not Qualify As Mandatory Categorically Needy
- 140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.5 Covered Medical Services Under GA
- 140.6 Medical Services Not Covered
- 140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
- 140.8 Medical Assistance For Qualified Severely Impaired Individuals
- 140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section

- 140.11 Enrollment Conditions for Medical Providers
- 140.12 Participation Requirements for Medical Providers
- 140.13 Definitions
- 140.14 Denial of Application to Participate in the Medical Assistance Program
- 140.15 Recovery of Money
- 140.16 Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.18 Effect of Termination on Individuals Associated with Vendor
- 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
- 140.20 Submittal of Claims
- 140.21 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)

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140.22

Magnetic Tape Billings

140.23

Payment of Claims

140.24

Payment Procedures

140.25

Overpayment or Underpayment of Claims

140.26

Payment to Factors Prohibited

140.27

Assignment of Vendor Payments

140.28

Record Requirements for Medical Providers

140.30

Audits

140.31

Emergency Services Audits

140.32

Prohibition on Participation, and Special Permission for

140.33

Participation

140.35

Publication of List of Terminated, Suspended or Barred Entities

140.40

False Reporting and Other Fraudulent Activities

140.41

Prior Approval for Medical Services or Items

140.42

Prior Approval in Cases of Emergency

140.43

Limitation on Prior Approval

140.71

Post Approval for Items or Services When Prior Approval Cannot Be Obtained

140.72

Reimbursement for Medical Services Through the Use of a C-13

140.73

Invoice Voucher Advance Payment and Expedited Payments

140.77

Drug Manual (Recodified)

140.78

Drug Manual Updates (Recodified)

SUBPART C: PROVIDER PARTICIPATION FEES

Section

140.80

Hospital Provider Fund

140.82

Developmentally Disabled Care Provider Fund

140.84

Long Term Care Provider Fund

140.94

Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund

140.95

Hospital Services Trust Fund

140.96

General Requirements (Recodified)

140.97

Special Requirements (Recodified)

140.98

Covered Hospital Services (Recodified)

140.99

Hospital Services Not Covered (Recodified)

140.100

Limitation On Hospital Services (Recodified)

140.101

Transplants (Recodified)

140.102

Heart Transplants (Recodified)

140.103

Liver Transplants (Recodified)

140.104

Bone Marrow Transplants (Recodified)

140.110

Disproportionate Share Hospital Adjustments (Recodified)

140.116

Payment for Inpatient Services for GA (Recodified)

140.117

Hospital Outpatient and Clinic Services (Recodified)

140.200

Payment for Hospital Services During Fiscal Year 1982 (Recodified)

140.201

Payment for Hospital Services After June 30, 1982 (Repealed)

140.202

Payment for Hospital Services During Fiscal Year 1983 (Recodified)

140.203

Limits on Length of Stay by Diagnosis (Recodified)

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NOTICE OF ADOPTED AMENDMENTS

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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6503-1 et seq.) [20 ILCS 2215/3-1 et seq.] and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13) [305 ILCS 5/3-1 et seq., 5/4-1 et seq., 5/5-1 et seq., 5/6-1 et seq., 5/7-1 et seq., and 5/12-13]

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5282, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9

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Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.913 thru 140.914 recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.206 thru 147.207; Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill.

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Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 reclassified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 14, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 reclassified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 reclassified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508,

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effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 5408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

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SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring

- a) A vendor that has been terminated from the Medical Assistance Program may not apply to participate for at least one year from the date of the final administrative decision terminating eligibility. After one year a vendor who has been terminated may apply for reinstatement to the Medical Assistance Program. If a vendor's application for reinstatement is denied by the Department, he shall be barred from again applying for reinstatement for one year from the date of the final administrative decision denying his application for reinstatement.
- b) At the end of a period of suspension, a vendor that has been suspended from the Medical Assistance Program shall be reinstated automatically upon completion of the necessary enrollment forms and execution of a new vendor agreement unless it is determined that such vendor has not corrected the deficiencies upon which the suspension was based. If the deficiencies have not been corrected, the vendor shall, after notice and hearing, be terminated. The notice in any termination action based on this Section shall notify the vendor of the deficiencies not corrected.
- c) An individual barred pursuant to Section 140.18 can apply to participate in the Medical Assistance Program. If an individual's application is denied by the Department or if he is denied special permission under Section 140.32, he shall be barred from again applying for one year from the date of the final administrative decision denying his application or special permission.

(Source: Amended at 17 Ill. Reg. 6839, effective April 21, 1993)

SUBPART E: GROUP CARE

Section 140.511 Services-Provided-Without-Charge Long Term Care Services Covered By Department Payment

All Skilled nursing facilities and intermediate care facilities (SNF and ICF) and intermediate care facilities for the mentally retarded (ICF/MR) providing group long term care to Medicaid eligible residents shall provide the following services at no additional charge:

- a) All staff, routine equipment and supplies including oxygen, (if less than one tank has been furnished to the recipient resident for the

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Section 140.511(a) (continued)

month in question,] required to provide the services needed by recipients accepted for care by a facility;

- b) Room and board, supervision and oversight, and all laundry services;
- c) Food substitutes and nutritional supplements; and
- d) Medications which are regularly available without prescription at a commercial pharmacy and which may be stocked by the facility under Department of Public Health regulations;
- e) Over-the-counter drugs or items ordered by a physician (including but not limited to, drugs and items listed in the Department's Long Term Care Provider Handbook, Appendix C-26, and excluding drugs and items reimbursed under the Department's Drug Program); and
- f) All other services necessary for compliance with the requirements of the Department of Public Health as set forth in the Skilled Nursing and Intermediate Care Facilities Code Minimum Standards-Rules (77 Ill. Adm. Code, 300) and the Intermediate Care for the Developmentally Disabled Facilities Code (77 Ill. Adm. Code 350 Chapter I, Subchapter e).

(Source: Amended at 17 Ill. Reg. 6839, effective April 21, 1993)

Section 140.539 Nurse's Aide Training and Testing

a) Nurse's Aide Training

- 1) Nursing Homes shall be reimbursed for the reasonable costs of nurse's aide training. Upon the aide's successful completion of a course which has been approved by the Department of Public Health (77 Ill. Adm. Code 395.300), the nursing home may claim reimbursement for the following costs, provided that they are actually incurred:

- A) tuition, up to the prevailing community college rate in the health service area for a six credit hour course;
- B) instructional materials, up to \$25.00; and
- C) salary and fringe benefits, (fringe benefits are payroll taxes, unemployment insurance and worker's compensation and health insurance and meals if provided) up to the prevailing entry level for the health service area.

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NOTICE OF ADOPTED AMENDMENTS

Section 140.539(a) (continued)

- 2) Payment will not be made under this rule Section for salary expenses during the clinical training if the clinical training is in the facility of employment. These staffing and salary costs are included under the regular cost related reimbursement system as reported on the facilities' annual cost reports and are reimbursed through the monthly payments to the facilities.
- 3) The Department will reimburse for actual approved hours up to 130 hours.
- 4) Nursing homes shall also receive an additional factor of 5% of the total claim to recognize costs for those who do not successfully complete the course.
- 5) The Department shall reimburse on a pro rata basis according to the percentage of Public Aid patients in the Nursing-Home nursing home.
- 6) No nurse's aide who is employed by, or who has received an offer of employment from, a facility on the date on which the aide begins a nurse aide training and competency evaluation program may be charged for any portion of the program (including any fees for textbooks or other required course materials).

b) Nurse's Aide Testing

- 1) Nursing homes shall be reimbursed for the reasonable costs for Nurse's-Aide-Testing nurse's aide testing. Only tests approved by the Department of Public Health are reimbursable (77 Ill. Adm. Code 395.300). The nursing home may claim reimbursement for the cost of each approved competency test successfully completed with a passing grade (77 Ill. Adm. Code 395.400(g)).
- 2) Payment will not be made under this rule Section for costs incurred in administering tests not approved by the Department of Public Health, or for any additional tests administered by the nursing home during or subsequent to nurse's aide training.
- 3) Payment will be made for all competency tests successfully completed with a passing grade after October 1, 1989.
- 4) The maximum reimbursable cost per competency test successfully completed with a passing grade is the current fee charged by the Department of Public Health approved testing service. The Department will reimburse on a pro rata basis according to the

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NOTICE OF ADOPTED AMENDMENTS

Section 140.539(b) (4) (continued)

percentage of Public Aid patients in the nursing home. The Department will not pay any other costs associated with the testing process.

- 5) Written proof (Individual-Test-Results) (individual test results) must be submitted by the nursing home for each competency test for which reimbursement is claimed.
- 6) No payment will be made for any competency test in which a failing grade (77 Ill. Adm. Code 395.400(g)) is received for any part of the test. A nurse's aide must pass both the demonstration of manual skills and written portions of the test before reimbursement may be claimed.
- 7) Nursing homes shall receive an additional factor of 5% of the total claim to recognize costs for those who do not successfully pass the test.
- 8) No nurse's aide who is employed by, or who has received an offer of employment from, a facility on the date on which the aide begins a nurse aide training and competency evaluation program may be charged for any portion of the program (including any fees for textbooks or other required course materials).

(Source: Amended at 17 Ill. Reg. 6839, effective April 21, 1993)

ILLINOIS RACING BOARD
NOTICE OF EMERGENCY RULES

1) Heading Of The Part: Rules Of Practice

2) Code Citation: 11 Ill. Adm. Code 205

<u>Section Numbers:</u>	<u>Emergency Action:</u>
205.10	New Section
205.20	New Section
205.30	New Section
205.40	New Section
205.50	New Section
205.60	New Section
205.70	New Section
205.80	New Section
205.110	New Section
205.120	New Section
205.130	New Section
205.140	New Section
205.150	New Section
205.160	New Section
205.170	New Section
205.180	New Section
205.190	New Section
205.250	New Section
205.260	New Section
205.270	New Section
205.280	New Section
205.290	New Section
205.300	New Section
205.310	New Section
205.320	New Section
205.330	New Section
205.340	New Section
205.350	New Section
205.360	New Section
205.370	New Section
205.380	New Section
205.420	New Section
205.430	New Section
205.440	New Section
205.450	New Section
205.460	New Section
205.470	New Section
205.480	New Section
205.490	New Section
205.500	New Section
205.510	New Section
205.520	New Section
205.530	New Section

ILLINOIS RACING BOARD
NOTICE OF EMERGENCY RULES

<u>Section Numbers:</u>	<u>Emergency Action:</u>
205.540	New Section
205.550	New Section
205.560	New Section
205.570	New Section
205.580	New Section
205.590	New Section
205.600	New Section
205.610	New Section
205.620	New Section
205.650	New Section
205.660	New Section
205.670	New Section
205.680	New Section
205.690	New Section
205.700	New Section
205.710	New Section
205.720	New Section
205.730	New Section

- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 8, par. 37-1) (230 ILCS, 5/1).
- 5) Effective date of amendments: April 16, 1993
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire. Emergency rule will expire with the effective date of proposed rules published in the Illinois Register at 17 Ill. Reg. 3594, March 19, 1993, for first notice.
- 7) Date filed in agency' principal office: April 16, 1993
- 8) Reason for the emergency: On September 24, 1992, the Supreme Court of Illinois ruled that the Illinois Racing Board must conduct its annual dates hearing pursuant the Illinois Administrative Procedures Act (APA). The Illinois Horse Racing Act requires racing dates to be awarded during the third week of September each calendar year. In order to afford the necessary time to conduct the dates hearing and the applicable pre- and post-hearing procedures, pursuant to the APA, pre-hearing discovery must begin April 20, 1993. Therefore, emergency rules must be adopted since the proposed rules submitted in March are not yet ready for adoption.
- 9) A complete description of the subjects and issues involved: These emergency rules outline procedures and requirements necessary to conduct the annual dates hearing pursuant to the APA. Issues such as discovery, motions, filings, applications, pre- and post-hearing procedures and appeals are discussed and outlined.

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY RULES

- 10) Are there any other proposed amendments pending in this Part? The first notice of Part 205 was published at 17 Ill. Reg. 3594 on March 19, 1993.
- 11) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 12) Information and questions regarding this emergency shall be directed to:

Illinois Racing Board
Legal Department
100 West Randolph, Ste. 11-100
Chicago, Illinois 60601

The full text of the emergency amendments begins on the next page:

NOTICE OF EMERGENCY RULES

TITLE 11: ALCOHOL, HORSE RACING AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER a: GENERAL RULES

PART 205
RULES OF PRACTICE

SUBPART A: GENERAL PROVISIONS

Section	Procedure Governed
205.10	EMERGENCY
205.20	Standards for Discretion
205.30	Construction of This Part
205.40	Deviation From This Part
205.50	Definitions
205.60	Communication to The Board
205.70	Computation of Time
205.80	Appearances

SUBPART B: FORM, FILING AND SERVICE OF APPLICATIONS

Section	Contents of Applications
205.110	EMERGENCY
205.120	Forms of Documents
205.130	Copies of Documents Other Than Applications
205.140	Signature and Verification
205.150	Amendments
205.160	Service
205.170	Answers
205.180	Motions
205.190	Intervention
	EMERGENCY

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NOTICE OF EMERGENCY RULES

SUBPART C: PRE-HEARING PROCEDURE AND DISCOVERY

Section
205.250 Pre-hearing Conferences
EMERGENCY
205.260 Facts Disclosed Privileged
EMERGENCY
205.270 Recodation and Order
EMERGENCY
205.280 Application of Discovery Rules Contained in Sections 205.290 through
205.380
EMERGENCY
205.290 Policy on Discovery
EMERGENCY
205.300 Discovery by Staff
EMERGENCY
205.310 Reasonable Attempts to Resolve Differences Required
EMERGENCY
205.320 Depositions and Other Discovery Procedures
EMERGENCY
205.330 Supervision of Discovery
EMERGENCY
205.340 Motion to Quash Subpoena
EMERGENCY
205.350 Service and Fees Payable
EMERGENCY
205.360 Time Limits on Discovery
EMERGENCY
205.370 Failure to Comply With a Discovery Order or a Subpoena
EMERGENCY
205.380 Protective Orders
EMERGENCY

SUBPART D: HEARING PROCEDURE

Section
205.420 Authority of Hearing Officer
EMERGENCY
205.430 Disqualification of Hearing Officer
EMERGENCY
205.440 Recessing Hearing for Conference or Discussion
EMERGENCY
205.450 Notice, Time and Place of Hearings
EMERGENCY
205.460 Recording Appearances at Hearings
EMERGENCY

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EMERGENCY
205.470 Failure to Appear or Exercise Diligence in Proceeding
EMERGENCY
205.480 Continuances
EMERGENCY
205.490 Order of Procedure and Receiving Evidence
EMERGENCY
205.500 Transcripts
EMERGENCY
205.510 Conduct at Hearings
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205.520 Evidence
EMERGENCY
205.530 Testimony to be Under Oath or Affirmation
EMERGENCY
205.540 Examination of Adverse Party or Agent
EMERGENCY
205.550 Stipulation of Facts
EMERGENCY
205.560 Administrative Notice
EMERGENCY
205.570 Prepared Testimony
EMERGENCY
205.580 Exhibits
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205.590 Objections
EMERGENCY
205.600 Offer of Proof
EMERGENCY
205.610 Record in Board Proceedings
EMERGENCY
205.620 Ex Parte Communications
EMERGENCY

SUBPART E: POST-HEARING PROCEDURES

Section
205.650 Briefs
EMERGENCY
205.660 Draft Orders
EMERGENCY
205.670 Filing of Briefs
EMERGENCY
205.680 Oral Argument
EMERGENCY
205.690 Board Order
EMERGENCY

EMERGENCY

205.700 Additional Hearings

EMERGENCY

205.710 Rehearing

EMERGENCY

205.720 Appeals

EMERGENCY

205.730 Reopening on Motion of the Board

EMERGENCY

AUTHORITY: Authorized and implemented pursuant to the Illinois Horse Racing Act of 1975 (Ill. Rev. Stat. 1991, ch. 8, par. 37-1), (230 ILCS 5/1).

SOURCE: Emergency rule adopted 17 Ill. Reg. _____, effective April 16, 1993, for a maximum of 150 days.

SUBPART A: GENERAL PROVISIONS

Section 205.10 Procedure Governed

EMERGENCY

a) This Part governs practice and procedure before the Illinois Racing Board in acting upon applications for awards of horse racing dates.

b) This Part does not apply to other proceedings conducted pursuant to 11 Ill. Adm. Code 204 and 206 of the Rules of the Illinois Racing Board.

Section 205.20 Standards for Discretion

EMERGENCY

All Board discretion under this Part shall be exercised so as to accomplish the goals set forth in the remainder of this Section.

a) Integrity of the fact-finding process -- The principal goal of the hearing process is to assemble a complete factual record to serve as basis for a correct and legally sustainable decision.

b) Fairness -- Persons appearing in and affected by Board proceedings must be treated fairly. To this end, parties that do not act diligently and in good faith shall be treated in such a manner as to negate any disadvantage or prejudice experienced by other parties.

c) Expedition -- Proceedings must be brought to a conclusion as swiftly as is possible in keeping with the other goals of the hearing process.

d) Cost-effectiveness -- Minimization of costs incurred by the Board, and by the parties, should be sought.

Section 205.30 Construction of This Part

EMERGENCY

This Part shall not be construed to abrogate, modify or limit any rights, privileges or immunities granted or protected by the Constitution or laws of the State of Illinois or the United States.

Section 205.40 Deviation from This Part

EMERGENCY

To the extent permitted by law, any provisions of this Part may be waived, suspended or modified by the Board, for good cause shown, either upon its own motion or upon motion by any person.

Section 205.50 Definitions

EMERGENCY

Unless otherwise defined, the following terms as used in this Part shall have the following meanings:

"Applicant" means a party who by written application applies for the award of racing dates for a particular year or years.

"Board" means the Illinois Racing Board

"Commissioner" means a member of the Board

"Dates Hearing" means any proceeding conducted under this Part to consider applications for racing dates pursuant to the Illinois Horse Racing Act of 1975, as amended (Ill. Rev. Stat., ch. 8, par. 37-1), (230 ILCS 5/1 et seq.)

"Hearing Officer" means an attorney appointed by the Board, or a Commissioner designated by the Board to conduct hearings and take evidence.

"Horse Racing Act" (Act) means the Illinois Horse Racing Act of 1975, as amended (Ill. Rev. Stat. ch. 8, par. 37-1), (230 ILCS 5/1 et seq.)

"Intervenor" means a person who is permitted to intervene in any proceeding before the Board conducted under this Part.

"License" means any license or permission to operate a horse race meeting at a specific place during a specific period of dates issued by the Board pursuant to the Horse Racing Act and the Rules of the Board.

"Party" means any person who files an application with the Board, requesting the award of racing dates for a particular year or years, or who is named as a respondent or who is allowed by the Board or by Statute to intervene in a proceeding. Such a party may be an applicant or intervenor. Staff are not parties but shall have the specific rights and duties enumerated in this Part.

"Person" means any individual, partnership, corporation, or unincorporated association.

"Pleading" means any application, motion, petition or answer filed in writing with the Board in a formal proceeding under this Part.

"Staff" means individuals employed by the Board. For purposes of this Part, a Hearing Officer is not considered a member of the Board staff.

Section 205.60 Communication to the Board EMERGENCY

All formal applications for racing dates and documents to be filed with or submitted to the Board shall be addressed to: The Illinois Racing Board, 100 W. Randolph, Suite 11-100, Chicago, Illinois 60601. All formal applications and documents are deemed to be officially filed or submitted only when delivered at the principal office of the Board. The Board Secretary is the official custodian of all Board records.

Section 205.70 Computation of Time EMERGENCY

The time within which an act is to be done as provided in any Rule or Order promulgated by the Board shall be computed by excluding the first day and including the last, unless the last day is Saturday or Sunday or is a holiday as defined or fixed in any Statute now or hereafter in force in this State, and then it shall also be excluded. If the day succeeding such Saturday or Sunday or holiday is also a holiday or a Saturday or Sunday then such succeeding day shall also be excluded. (Ill. Rev. Stat. 1991, ch. 1, par. 1012), (5 ILCS 70/1.11).

Section 205.80 Appearances EMERGENCY

- a) Any party may appear by an attorney at law authorized to practice in the State of Illinois.
- b) A natural person may appear in his or her own behalf.

- c) A corporation or association may appear by any bona fide officer, employee, or representative. Only persons admitted to practice as attorneys and counselors at law shall represent others in proceedings before this Board in any matter involving the exercise of legal skill or knowledge.

SUBPART B: FORM, FILING AND SERVICE OF APPLICATIONS

Section 205.110 Contents of Applications EMERGENCY

All applications for racing dates shall conform to all the requirements of Sections 17 through 22 of the Act and the applicable Rules of the Illinois Racing Board promulgated thereunder. All applications shall also include the following:

- a) The full name, address and telephone number of the person or the representative of the person filing the application.
- b) A plain and concise statement of any facts upon which the applications are based.
- c) The specific racing dates requested, which may be in the alternative.

Section 205.120 Forms of Documents EMERGENCY

All applications and documents filed with the Board shall be typewritten or printed on paper cut or folded so that the size shall not exceed a width of 8 1/2 inches and a length of 11 inches and shall have inside margins not less than 1 inch wide. All exhibits of a documentary character shall, whenever practical, conform to said requirements of size and margin. If typewritten, the impression shall be on one side of the paper only and shall be double spaced; footnotes and quotations may be single spaced and indented. Reproductions may be by any process, providing that all copies are clear and permanently legible.

Section 205.130 Copies of Documents Other Than Applications EMERGENCY

Documents shall be filed with the Board Secretary in one original and two copies, unless otherwise specified in this Part.

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY RULES

Section 205.140 Signature and Verification
EMERGENCY

The original of every application filed with the Board shall be signed by the party filing the same or by an officer, agent or attorney therefor.

Section 205.150 Amendments
EMERGENCY

Amendments to applications may be allowed by the Hearing Officer or the Board upon motion at any time during the pendency of the proceeding on such terms as shall be just and reasonable.

Section 205.160 Service
EMERGENCY

- a) Applications, intervening petitions, amendments to applications, written motions, responses, replies, notices, briefs and similar documents shall be filed with the Board Secretary and shall be served by the person filing same upon all parties to the proceeding and upon staff and the Hearing Officer, if any, and, when filed, shall be accompanied by proof of service upon all parties.
- b) Service shall be made by delivering in person or by depositing in the United States mail, properly addressed with first class postage prepaid, or by depositing with a private express courier service, properly addressed with charges prepaid or payment arrangements made, on copy to each person entitled thereto. When any party or parties have appeared by an attorney, service upon the attorney shall be deemed service upon such persons.
- c) Proof of service of any paper shall be by certificate of attorney, acknowledgement of receipt, or affidavit, except that proof of service on the Board is made pursuant to Section 205.60
- d) In any proceeding involving more than four parties, the Board Secretary shall prepare and disseminate to all parties a service list showing the name and address of each person entitled to service. Parties shall be required to update their service lists to insure the inclusion of all parties during the course of the proceeding. Updated service lists may be obtained from the Board Secretary.

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Section 205.170 Answers
EMERGENCY

- a) Answers to formal applications shall be filed with the Board within 21 days after the date on which such applications are served upon other parties, unless otherwise ordered. Answers shall contain an explicit admission or denial of each contested statement in the application and a concise statement of the nature of the contest.
- b) The original of an answer to a verified application shall be verified.

Section 205.180 Motions
EMERGENCY

- a) Motions may be presented requesting a more sufficient application, a bill of particulars or such other relief or order as may be appropriate.
- b) Motions, unless made during a hearing, shall be made in writing, shall set forth the relief or order sought and shall be filed and served as provided in Subparts (A), (B) and (C) of this Part. Motions based on matter which does not appear of record shall be supported by affidavit.
- c) Upon receipt of a written motion, a Hearing Officer shall set a schedule for the filing of responses and for the proponent of the motion to reply to any response filed.

Section 205.190 Intervention
EMERGENCY

- a) Petitions to intervene shall contain:
 - 1) The name, address and telephone number of the petitioner seeking leave to intervene;
 - 2) A plain and concise statement of the nature of such petitioner's interest;
 - 3) A prayer for leave to intervene and be treated as a party to the proceeding; and
 - 4) If affirmative relief is sought, specific prayers for such relief, which may be in the alternative.
- b) While a petition for leave to intervene is pending, the Hearing Officer, in his or her discretion, may permit the petitioner to participate in the proceeding.

- c) Petitions to intervene shall be granted or denied by the Hearing Officer or the Board.
- d) Any intervenor may be allowed to comment in briefs and oral arguments on any matter addressed in the proceeding, whether before or after his intervention; and such intervenor shall be bound by rulings and orders theretofore entered.

SUBPART C: PRE-HEARING PROCEDURE AND DISCOVERY

Section 205.250 Pre-hearing Conferences
EMERGENCY

- a) The Hearing Officer, on his or her own motion, upon motion by any party or staff, or when directed by the Board, shall with reasonable written notice request all parties and staff to attend a pre-hearing conference when it appears that any of the goals set forth in subsections (a) (1) through (a) (6) of this Section can be attained. Such a conference shall be held for purposes of formulating issues and considering:

- 1) Simplifications of issues;
 - 2) Amendments to the applications;
 - 3) The possibility of obtaining admissions of fact and the genuineness of documents which will avoid unnecessary proof;
 - 4) Limitations on the number of witnesses;
 - 5) The procedure at the hearing; and
 - 6) Such other matters as may aid in the simplification of the evidence and disposition of the proceeding.
- b) Except where the Illinois Administrative Procedure Act (5 ILCS 100/1 et seq.) provides otherwise, the Hearing Officer may on his own motion, on motion of any party or staff or when directed by the Board, with written notice to all parties and staff, initiate an informal discussion whenever it appears that a mechanism less formal than a hearing might be useful in resolving any issue in a proceeding.

Section 205.260 Facts Disclosed Privileged
EMERGENCY

Facts disclosed in the course of the pre-hearing conference are privileged and, except by agreement, shall not be used against participating parties either before the Board or elsewhere unless fully substantiated by other evidence.

Section 205.270 Recordation and Order
EMERGENCY

Action taken at the pre-hearing conference shall be recorded in a ruling by the Hearing Officer, unless the parties and staff, if any, enter into a written stipulation as to such matters, or agree to a statement thereof made on the record by the Officer.

Section 205.280 Application of Discovery Rules Contained in Sections 205.290 through 205.380
EMERGENCY

- a) Except as otherwise specified in this Section, the provisions of Sections 205.290 through 205.380 of this Part shall apply fully to all proceedings for the award of racing dates before the Board.
- b) Any party may utilize written interrogatories, depositions, requests for discovery or inspection of documents and other discovery tools commonly utilized in civil actions in the Circuit Courts in the State of Illinois in the manner contemplated by the Code of Civil Procedure and the Rules of the Supreme Court of Illinois. The Chairman or a Hearing Officer may, at any time, on his own motion or at the request of a party, issue such rulings denying, limiting, conditioning, or regulating discovery as justice requires, and may supervise all or part of any discovery procedure. Parties to proceedings before the Board are encouraged to clarify and resolve issues where possible through the use of pre-hearing discovery. However, discovery orders should be calculated to lessen the time and expense required to reach an informed resolution of the issues.
- c) Subpoenas. The Executive Director or a Hearing Officer may, for good cause, issue a subpoena directing a person to appear and testify, and to produce records, documents, or other papers, at a time and place set forth in the subpoena, in connection with a proceeding before the Board. Service of the subpoena shall be in the same manner as a subpoena issued by a Court.

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d) Appeal from discovery and subpoenas. A person served with a discovery request or subpoena may appeal such interlocutory matter to the Board and/or Hearing Officer. Such appeals shall set forth grounds for seeking to quash or limit the scope of the discovery or subpoena, as well as the specific relief sought, and must be filed within 10 days after service of the discovery or subpoena. If discovery is stayed by the Board, the person served shall be excused from compliance with the discovery order or subpoena until a decision on its appeal is made by the Board.

e) Assessment and payment of discovery costs. The Board may assess the costs of discovery, including fees for witness' attendance and travel, against the party by which discovery was requested. Where a subpoena is issued on the Board's own motion, fees for witness' attendance and travel shall be paid by the Board on request. Witness fees shall be the same as for a Circuit Court proceeding. Deposits to insure payment of costs and fees may be required.

f) Enforcement of discovery proceedings. The Board or the Hearing Officer may, where a person has failed to comply with or permit discovery authorized hereunder, determine any or all issues within the scope of the discovery or subpoena adverse to such person without further evidence.

Section 205.290 Policy on Discovery
EMERGENCY

It is the policy of the Board to obtain full disclosure of all relevant and material facts to a proceeding for the award of racing dates. Further, it is the policy of the Board to encourage voluntary exchange by the parties and staff of all relevant and material facts to such a proceeding through the use of requests for documents and information. Formal discovery by means such as depositions and subpoenas is discouraged unless less formal procedures have proved to be unsuccessful. It is the policy of the Board not to permit requests for information, depositions, or other discovery whose primary effect is harassment or which will delay the proceeding in a manner which prejudices any party or the Board, or which will disrupt the proceeding.

Section 205.300 Discovery by Staff
EMERGENCY

Formal discovery by staff shall be allowed upon motion to the Hearing Officer or the Board. If granted, said discovery is deemed to be on the Board's own motion.

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Section 205.310 Reasonable Attempts to Resolve Differences Required
EMERGENCY

Every motion to compel formal discovery or to invoke Section 205.330 shall incorporate a statement showing that consultation and reasonable attempts to resolve differences have failed.

Section 205.320 Depositions and Other Discovery Procedures
EMERGENCY

a) The Board, any Commissioner, the Hearing Officer or any party may, in the course of a proceeding before the Board under this Part, cause the deposition of witnesses residing within or without Illinois to be taken in the manner prescribed by law for like depositions in civil actions in the Courts of Illinois and to that end may compel the attendance of witnesses and the production of papers, books, accounts and documents (Ill. Rev. Stat. 1991, ch. 110A, par. 202, et seq.) (Supreme Court Rules 201 et seq.). Except under special circumstances and for good cause shown, no deposition may be taken except upon 14 days prior notice to all parties and staff.

b) In addition to depositions, and subject to the provisions of this Part, any party may utilize written interrogatories to other parties, request for discovery or inspection of documents and other discovery tools commonly utilized in civil actions in the Circuit Courts of the State of Illinois in the manner contemplated by the Code of Civil Procedure (735 ILCS 5/101 et seq.) and the Rules of the Supreme Court of Illinois (Ill. Rev. Stat. 1991, ch. 110A, par. 201 et seq.).

Section 205.330 Supervision of Discovery
EMERGENCY

a) The Hearing Officer, upon his initiative, or upon the motion of any party or witness, may supervise all or any part of any discovery procedure.

b) The Hearing Officer may at any time on his initiative, or on motion of any party or witness, issue such rulings as justice requires, denying, limiting, conditioning or regulating discovery to prevent unreasonable annoyance, expense, disadvantage or oppression.

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Section 205.340 Motion to Quash Subpoena
EMERGENCY

The Hearing Officer, upon motion, may quash or modify a subpoena or subpoena duces tecum for good cause shown, including, without limitation, a showing that the subpoena is unreasonable or oppressive or relates to irrelevant or immaterial matters. Denial of a motion to quash may, in the case of a subpoena duces tecum, be conditioned upon the advancement by the party who requested the subpoena, of the reasonable cost of producing the books, records or other documents subpoenaed.

Section 205.350 Service and Fees Payable
EMERGENCY

Service of subpoenas and payment of witness and mileage fees shall be as provided in the Rules of the Circuit Courts of Illinois. No person served with a subpoena which has been issued at the instance of any party to a proceeding before the Board shall be required to respond to such subpoena unless the appropriate fees for attendance and travel are tendered at the time of service.

Section 205.360 Time Limits on Discovery
EMERGENCY

Requests for information or discovery and responses thereto shall be made in a timely fashion and in accordance with any time schedule set by the Hearing Officer. No such request shall delay any proceeding in the absence of a showing that the requester has exercised due diligence and that the delay will not cause undue prejudice.

Section 205.370 Failure to Comply With a Discovery Order or a Subpoena
EMERGENCY

If a person fails to comply with a subpoena or a discovery order or refuses to attend or be sworn at a hearing or deposition, the Hearing Officer may suspend further proceedings until compliance is obtained, or if the person who fails to comply is a party to the proceeding or an officer, agent, employee of a party, the Hearing Officer may strike all or any part of the application or answer or other document filed by such party, or take further action as may be appropriate under the circumstances and as provided by law.

Section 205.380 Protective Orders
EMERGENCY

At any time during the pendency of a proceeding, the Board or Hearing Officer may, on the motion of any person, enter an order to protect the confidential, proprietary or trade secret nature of any data, information or studies.

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SUBPART D: HEARING PROCEDURE

Section 205.420 Authority of Hearing Officer
EMERGENCY

The Hearing Officer shall have authority over the conduct of any hearing for the award of racing dates and responsibility for submission of the matter to the Board for decision. The Hearing Officer shall have those duties and powers necessary to these ends, consistent with applicable statutes and Board Rules and policies, including the following:

- a) To administer oaths and affirmations;
- b) To order the issuance of subpoenas and to supervise discovery;
- c) To conduct hearings and pre-hearing conferences;
- d) To rule upon all objections, motions and petitions which do not result in the final determination of the proceeding, and to receive evidence.
- e) At any stage of the hearing or after all parties have completed the presentation of their evidence to call upon any party or the staff of the Board to produce further evidence which is material and relevant to any issue.
- f) To ensure that hearings are conducted in a full, fair and impartial manner, that order is maintained and that unnecessary delay is avoided in the disposition of the proceedings.
- g) To issue protective orders in accordance with Section 205.250.

Section 205.430 Disqualification of Hearing Officer
EMERGENCY

- a) A Hearing Officer assigned to a proceeding under this Part may, upon written request to and approval of the Board, recuse himself therefrom.
- b) Whenever any party believes a Hearing Officer for any reason should be disqualified from conducting, or continuing to conduct, a proceeding under this Part assigned to him, such party may file a motion to disqualify the Hearing Officer, setting forth by affidavit the alleged grounds for disqualification. The Hearing Officer shall have fourteen (14) days after filing of the motion within which to enter a written ruling thereon. A copy of such ruling shall be

served upon all parties. The Board may, on its own motion, review rulings granting a motion for disqualification and may review denials of such motions under Section.

Section 205.440 Recessing Hearing For Conference or Discussion
EMERGENCY

In any proceedings the Hearing Officer may, in his discretion, call the parties and staff together for a conference or discussion prior to the taking of testimony, or recess the hearing for such a conference or discussion with a view to carrying out the purpose of Section 205.250. The Hearing Officer shall state on the record the results of such conference.

Section 205.450 Notice, Time and Place of Hearings
EMERGENCY

The Board shall comply with the provisions of the Open Meetings Act (Ill. Rev. Stat. 1991, ch.102, par 41), (5 ILCS 120/1). Except for those hearings permitted to be closed to the public by law, all proceedings of the Board shall be open to the public. At least ten days' notice of the time and place of the first hearing shall be given to all parties. In the discretion of the Board or the Hearing Officer, the first hearing may be held with less than ten days' notice if an emergency exists. Hearings may be held at such reasonable place in the State and at such reasonable time designated by the Board or Hearing Officer as may be consistent with the nature of the proceedings, the convenience of the parties and the public interest.

Section 205.460 Recording Appearances at Hearings
EMERGENCY

Parties and staff shall enter their appearances at the beginning of a hearing by giving their names, address, telephone numbers and whom they represent in writing to the reporter who will include the same in the record of hearing. The Hearing Officer conducting the hearing may, in addition, require appearances to be stated orally. Non-party participants shall be identified in a manner prescribed by the Hearing Officer.

Section 205.470 Failure to Appear or to Exercise Diligence in Proceeding
EMERGENCY

Applications or answers or motions which are not prosecuted diligently may be dismissed for want of prosecution. The failure of any party to appear at a hearing without good cause and without previously notifying the Board or the Hearing Officer and parties of record of its inability to appear may be grounds for deciding against the interest of such defaulting party. Any court reporting costs incurred because of the failure to appear may be assessed against such party.

Section 205.480 Continuances
EMERGENCY

- a) Motions for continuances shall be addressed to the Hearing Officer and shall not be made with less than seven days' notice, except as provided in subsection (b).
- b) In an emergency or upon agreement of the parties, a motion for continuance may be made less than seven days prior to the hearing.
- c) The Hearing Officer shall require the party or staff requesting the continuance to contact the other parties and staff.
- d) Any grant by a Hearing Officer of a continuance sought by a party on less than two days notice prior to the assigned hearing date may be conditioned upon that party bearing any court reporting costs resulting from the continuance.

Section 205.490 Order of Procedure and Receiving Evidence
EMERGENCY

At hearings concerning the award of racing dates to licensees, the applicants shall proceed in alphabetical order, and any objector shall present his or her answer or objections immediately thereafter. The applicant may then respond to the objections or answer. The Hearing Officer in all cases shall determine whether intervenors and staff shall be permitted to offer evidence.

Section 205.500 Transcripts
EMERGENCY

- a) A full and complete record of all hearings conducted under this Part, including oral arguments before the Board or Hearing Officer, shall be transcribed by a reporter appointed by the Board.

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY RULES

- b) Suggested corrections to the transcript of record must be filed within 35 days from the day on which the hearing is held or at such other time as prescribed by the Hearing Officer, and shall be in writing and served upon staff, each party, the court reporter and Hearing Officer.
- c) Objections to suggested corrections shall be filed within ten days after the filing of the suggestions, unless otherwise prescribed by the Hearing Officer. The Hearing Officer shall, with or without hearing, determine what changes, if any, shall be made in the record.
- d) If no objection is made to the suggested corrections, the Hearing Officer may, in his discretion, direct the corrections to be made and the manner of making them. The purpose of this determination shall be to ensure the accuracy of the record.

Section 205.510 Conduct at Hearings
EMERGENCY

- a) All parties to hearings, their counsel and spectators shall conduct themselves in an orderly manner.
- b) The Hearing Officer may, at his discretion, recess or continue any hearing in case the conduct of parties, non-party participants, witnesses, spectators or other persons interfere with the proper conduct of such hearing. The Hearing Officer may take any action necessary to insure the orderly conduct of the hearing.

Section 205.520 Evidence
EMERGENCY

- a) In all proceedings subject to this part, irrelevant, immaterial or unduly repetitious evidence shall be excluded. (Ill. Rev. Stat. 1991, ch. 127, par. 1010-40 (5 ILCS 100/10-40)).
- b) This subsection applies to all proceedings under this Part. The Rules of evidence and privilege applied in civil cases in the Circuit Courts of the State of Illinois shall be followed. However, evidence not admissible under such rules may be admitted if it is of a type commonly relied on by reasonably prudent persons in the conduct of their affairs. Objections must be made at hearing to preserve them on appeal. Evidence may be received orally or in writing.

Section 205.530 Testimony to be Under Oath or Affirmation
EMERGENCY

All testimony to be considered by the Board in formal hearings, except matters officially noticed or entered by stipulation, shall be sworn or affirmed testimony.

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY RULES

Section 205.540 Examination of Adverse Party or Agent
EMERGENCY

Adverse parties and their employees and agents may be called upon to testify in the manner contemplated by the Code of Civil Procedure (Ill. Rev. Stat. 1991, ch. 110, par. 2-1102), (735 ILCS 5/2-1102).

Section 205.550 Stipulation of Facts
EMERGENCY

The parties to any proceeding under this Part before the Board may, by stipulation in writing filed with the Board or entered orally in the record, agree upon the facts or any part thereof involved in the proceeding. It is the policy of the Board to encourage stipulations of fact whenever practicable. Notwithstanding the stipulation of the parties, the Board or the Hearing Officer may require proof by evidence of the facts stipulated to, where public interest requires.

Section 205.560 Administrative Notice
EMERGENCY

- a) Consistent with Section 205.520, the Board or Hearing Officer may take administrative notice of the following:
 - 1) Rules, regulations, administrative rulings and orders, and written policies of governmental bodies other than the Board.
 - 2) Contents of and licenses issued by the Board, and the orders, transcripts, exhibits, pleadings or any other matter contained in the record of other docketed Board proceedings.
 - 3) State and Federal statutes and municipal and local ordinances.
 - 4) The decisions of State and Federal courts.
 - 5) Generally recognized scientific or technical facts within the specialized knowledge of the Board.
 - 6) All other matters of which the Circuit Courts of this State may take judicial notice.
- b) Parties and staff shall be notified either before or during the hearing or otherwise of the materials noticed and shall be provided a reasonable opportunity to contest the material so noticed.

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NOTICE OF EMERGENCY RULESILLINOIS REGISTER
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93Section 205.570 Prepared Testimony
EMERGENCY

It is the policy of the Board to encourage the advance submission of testimony and exhibits by all parties and staff. The Hearing Officer may direct parties and staff to serve testimony and exhibits and may establish a date certain for service. Any party or staff witness who fails, without good cause shown, to comply with an order of the Hearing Officer for the service of testimony or exhibits may be limited in the presentation of evidence in the proceeding or otherwise restricted in participation, to avoid undue delay and prejudice.

Section 205.580 Exhibits
EMERGENCY

- a) Marking exhibits. All exhibits shall be marked numerically and/or alphabetically with a party or staff designation and shall conform to the requirements of Section 205.20.
- b) Copies of Exhibits. When exhibits are identified for the record, unless the Hearing Officer directs otherwise, an original and nine copies shall be offered at the hearing and a copy provided to the Hearing Officer, and to each party and staff.
- c) Designation of Part of Document as Evidence. When relevant and material matter offered in evidence is embraced in a book, paper or document containing other matter not material or relevant, the person offering the same must plainly designate the matter so offered. If other matter is in such volume as would unnecessarily encumber the record, such book, papers or document will not be received in evidence but may be marked for identification, and if properly authenticated, the relevant or material matter may be read into the record, or if the Hearing Officer so directs, a copy of such matter in proper form shall be offered as an Exhibit. All other parties, their attorneys and staff appearing at the hearing shall be afforded an opportunity to examine the book, paper or documents and to offer in evidence in like manner other portions thereof if found to be material and relevant.
- d) Whenever a pre-filed exhibit contains language and/or figures that differ from the exhibit offered into evidence, the sponsoring witness shall indicate all changes in writing either on a corrective sheet or the actual exhibit shall have the corrected language and/or figures so designated.

Section 205.590 Objections
EMERGENCY

Any evidence offered in whatever form shall be subject to appropriate and timely objections. The Hearing Officer may, after notice to the parties and staff, either with or without objection, exclude irrelevant, immaterial, unduly repetitious or otherwise inadmissible evidence.

Section 205.600 Offer of Proof
EMERGENCY

Any party or staff who has had evidence excluded may make an offer of proof.

Section 205.610 Record in Board Proceedings
EMERGENCY

- a) The record in any proceeding under this Part before the Board shall include:
 - 1) All applications for racing dates, (including all exhibits attached thereto), all answers, motions and rulings;
 - 2) Evidence received;
 - 3) A statement of matters officially noticed;
 - 4) Offers of proof, objections and rulings thereon;
 - 5) Any decision, opinion or report by the Hearing Officer;
 - 6) All staff memoranda or data submitted to the Hearing Officer in connection with his consideration of the case.
 - 7) Any briefs which have been filed by the parties;
 - 8) Orders of the Board; and
 - 9) Any communication prohibited by Section 205.620, but such communications shall not form the basis for any finding of fact.
- b) Notwithstanding the provisions of subsection (a), no matter coming within attorney-client privilege shall be included in the record.

Section 205.620 Ex Parte Communications
EMERGENCY

- a) Unless waived by written stipulation of the parties in the proceedings as provided by the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1010-16) (5 ILCS 100/10-16), once notice of hearing under this Part has been given, Commissioners, Board employees and Hearing Officers shall not, without notice to all parties, communicate on an ex parte basis directly or indirectly with:
- 1) Any party to the proceeding on any issue in the proceeding or;
 - 2) A party's representative on any issue in the proceeding or;
 - 3) Any other persons concerning an issue of fact in the proceeding;
- b) The following communications are not subject to subsection (a) of this Section:

- 1) Communications between Board employees directly or indirectly, with members of the Board or any Hearing Officer in the proceeding.
- 2) Communications between a Commissioner and other Commissioners, and between a Commissioner and Hearing Officer, (Ill. Rev. Stat. 1991, ch. 127, par. 1010-60) (5 ILCS 100/10-60);

- c) When a Commissioner, a Hearing Officer, a Board employee or a party becomes aware that he or she has received or has made a prohibited communication, the communication shall be disclosed by him, her or them by placing in the record.

- 1) Any and all such written communications;
- 2) A memorandum stating the substance of any and all such oral communications; and
- 3) Any and all written responses and memoranda stating the substance of any and all oral responses to the materials described in subsections (c) (1) and (c) (2) above.

- d) The material specified in subsection (c) above shall be disclosed to the parties of record by;

- 1) Service on the parties at the next hearing or
- 2) If no hearing is scheduled within the next seven days, service by mail on all parties of record.

SUBPART E: POST-HEARING PROCEDURES

Section 205.650 Briefs
EMERGENCY

- a) At the close of the hearing, any party or staff may request an opportunity to file a brief. The Hearing Officer, after notice, may require the filing of briefs. Briefs shall be filed in the same order as evidence was presented in the proceedings or as otherwise directed by the Hearing Officer. Parties and staff are encouraged to use transcript citations; however, failure to do so will not result in rejection of the brief.
- b) Briefs shall be concise, and, if in excess of 20 pages, excluding appendices, shall contain:
 - 1) A table of contents;
 - 2) A short statement of the case;
 - 3) A summary of the position of the party filing;
 - 4) Argument.

Section 205.660 Draft Orders
EMERGENCY

The Hearing Officer may permit or require a party or parties to file draft orders.

Section 205.670 Filing of Briefs
EMERGENCY

An original and 11 copies of all briefs shall be filed with the Board.

Section 205.680 Oral Argument
EMERGENCY

The Board, upon its own motion or the motion of a party, may hear oral argument upon seven days notice to the parties of the time and place. Except upon special leave of the Board, no party shall participate in oral argument without having filed a brief.

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY RULES

Section 205.690 Board Order
EMERGENCY

Following receipt of the transcript, proceedings, all exhibits and any briefs of the parties, and following oral argument, if any, the Board shall make its decision and shall serve a copy of its order upon all parties.

Section 205.700 Additional Hearings
EMERGENCY

After the proceeding has closed, but before issuance of a final order by the Board, the Hearing Officer may, when directed by the Board, hold additional hearings. Such direction shall state the reasons therefor, including material changes of fact or of law, and shall contain a brief statement of proposed additional evidence and an explanation why such evidence was not previously adduced.

Section 205.710 Rehearing
EMERGENCY

a) After issuance of an order on the merits by the Board, a party may file an application for rehearing. The application shall state the reasons therefore and shall contain a brief statement of proposed

additional evidence, if any, and an explanation why such evidence was not previously adduced. The application shall be filed within 30 days after service of the order on the party. An original and 11 copies of the application shall be filed with the Board.

b) No appeal shall be allowed from any order or decision of the Board unless and until an application for rehearing thereof shall first have been filed and finally disposed of by the Board. The Board shall grant or deny such application in whole or in part within 20 days from the date of receipt by the Board.

Section 205.720 Appeals
EMERGENCY

Appeals from final orders entered in proceedings under this Part, shall be as provided by the Administrative Review Law (Ill. Rev. Stat. 1991, ch. 110, par. 3-101) (735 ILCS 5/3-101 et seq.).

Section 205.730 Reopening on Motion of the Board
EMERGENCY

After issuance of an order by the Board the Board may, on its own motion, reopen any proceeding when it has reason to believe that conditions of fact or law have so changed as to require, or that public interest requires, such reopening.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

1) Heading of the Part: Assistive Technology for Persons with Disabilities Tax Check Off Fund.

2) Code Citation: 89 Ill. Adm. Code 897

Section Numbers:	Emergency	Action:
897.10	New Section	
897.20	New Section	
897.30	New Section	
897.40	New Section	
897.50	New Section	
897.60	New Section	

4) Statutory Authority: Implementing Section 3 and 13 and authorized by Section 3 of "The Disabled Persons Rehabilitation Act" (Ill. Rev. Stat. 1991 ch. 23, pars. 3434 and 3444) [20 ILCS 2405/5 and 13m].

5) Effective Date of Rule(s) (Amendments, Repealer): April 22, 1993

6) If this emergency rule (amendment, repealer) is to expire before the end of the 150-day period, please specify the date on which it is to expire:

7) Date filed in Agency's Principal Office: April 22, 1993

8) Reason for Emergency: To promulgate rules for the Assistive Technology for Persons with Disabilities Tax Check Off Fund. Included in this rule is the eligibility criteria, application process, make up of the screening committee, limits of financial participation and the method for awarding the funds to applicants. Funds received from the 1991 state tax check off must be allocated by June 30, 1993. Therefore the agency finds that the proposal of emergency rules given the timeframes of the regular rule making process is in the best interests of the public.

9) A Complete Description of the Subject and Issues Involved:

10) Are there any other amendments pending on this Part? No

11) Section Numbers Proposed Action Illinois Register Citation
Statement of Statewide Policy Objectives (if applicable):
Not Applicable

12) Information and questions regarding this rule (amendment, repealer) shall be directed to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

Ms. Susan Warner, Acting Director
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois - 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Rule (amendments, repealer) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER H: MISCELLANEOUS PROGRAMS

PART 897

ASSISTIVE TECHNOLOGY FOR PERSONS
WITH DISABILITIES TAX CHECK OFF FUND

Section
897.10 Eligibility Criteria
EMERGENCY
897.20 Application Process
EMERGENCY
897.30 The Screening Committee
EMERGENCY
897.40 Limits of Financial Participation
EMERGENCY
897.50 Awarding the Funds
EMERGENCY
897.60 Conflict of Interest
EMERGENCY

AUTHORITY: Implementing Sections 5 and 13(m) and authorized by Section 3 of the Disabled Persons Rehabilitation Act (Ill. Rev. Stat. 1991, ch. 23, pars. 3436 and 3444(m) [20 ILCS 2405/5 and 13m]).

(SOURCE: Emergency rule adopted at 17 Ill. Reg. 6886, effective April 22, 1993 for a maximum of 150 days)

Section 897.10 Eligibility Criteria
EMERGENCY

- a) An applicant for a grant to purchase assistive technology and related services must be an Illinois resident with a disability and be able to provide documentation to verify residency and substantiate disability.
- b) The applicant's family's annual adjusted gross income (i.e., income on which federal income tax is paid), may not exceed \$50,000.00. Exception to this limit may be considered at the discretion of the Assistive Technology Tax Check Off Screening Committee ("Screening Committee") based on circumstances as documented in the application.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- c) The applicant must provide documentation demonstrating funding is not available for devices under \$5,000.00 through other sources.
- d) The applicant must provide documentation and justification of the necessity for the assistive technology. For the purposes of this rule "assistive technology" is defined as any item, piece of equipment or product system whether acquired commercially off the shelf, modified, or customized that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

Section 897.20 Application Process
EMERGENCY

a) Availability

- 1) Applications will be available from Department of Rehabilitation Services (DORS) field offices and not-for-profit organizations. The application process shall be maintained in a non-discriminatory manner and DORS shall provide assistance in completing the application on an as needed basis. Illinois Assistive Technology Project (I.A.T.P.) and/or DORS may be contacted for a listing of local organizations which have applications.

- 2) An individual may submit one application for assistive technology in each state fiscal year in which funding is available. An application must contain a single technology device request. A single technology device may consist of several related components that enable it to fulfill its purpose.

- 3) The deadline for submission of applications will be established by the Screening Committee as funding becomes available. Notice of availability of funding will be issued by DORS to Centers for Independent Living, disability related not-for-profit organizations around the state and interested persons requesting information.

b) Screening

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF EMERGENCY RULES

- 1) DORS staff, along with local organizations which serve the disabled, will review the applications to ensure they meet the eligibility criteria contained in 897.10. Applications meeting the eligibility criteria will then be evaluated and assessed to determine whether they either:

- A) are necessary to enable the individual to find or sustain competitive employment; or
- B) meet at least two of the following needs of the individual:
- i) healthcare;
 - ii) independent living;
 - iii) education;
 - iv) social/recreational;
 - v) transportation.

All applications which meet the eligibility criteria will be forwarded to the Screening Committee.

- 2) The Screening Committee will then review the applications that meet the criteria in section 897.20 (b) (1) to assess the information with regard to the potential to benefit the applicant. Requests for medically related equipment or technical equipment will be assessed by or through the I.A.T.P. at no cost to the recipient. The I.A.T.P. will also assess the device's cost effectiveness and the quality of the device.

- 3) The decisions of the Screening Committee on which applications meet the criteria in Section 897.20 (b) (1) are final. Only those applications selected by the Screening Committee shall be eligible for the awarding of funds through the Assistive Technology For Persons With Disabilities Tax Check Off Fund.

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF EMERGENCY RULESSection 897.30 The Screening Committee
EMERGENCY

- a) A Screening Committee will be appointed by the Director of DORS and will consist of technology specialists and consumers.
- b) The Screening Committee shall not be obligated to approve a specific device or vendor.
- c) The Director shall designate one or more persons to serve as a DORS liaison to the Screening Committee. This person will be responsible for mailing of notices of application availability.

Section 897.40 Limits of Financial Participation
EMERGENCY

- a) There will be a funding limitation of \$5,000.00 on each device awarded. This financial limit does not preclude the applicant from obtaining cost sharing from other funding sources.
- b) If the projected cost of the assistive technology exceeds the \$5,000 funding limit the applicant will be required to provide certification that the balance of the cost of the device is available.

Section 897.50 Awarding the Funds
EMERGENCY

- a) Funds will be disbursed based on the amount collected through the tax check off, State Project Fund and funding availability.
- b) Expenditures authorized by the Screening Committee will be made to DORS approved vendors only.

Section 897.60 Conflict of Interest
EMERGENCY

- a) DORS employees, their spouses, sons, daughters, parents and persons living in the same household as a DORS employee are not eligible to apply for assistive technology grants under this rule.

- b) If a relative, as defined in section 897.60(a) above, of a member of a the Screening Committee is selected as a finalist by the selection process, the member of the Screening Committee shall disclose this fact and refrain from evaluation of the application.

DEPARTMENT OF INSURANCE

NOTICE OF MODIFICATION OF PROPOSED AMENDMENTS
TO MEET THE OBJECTION OF THE JOINT COMMITTEE
ON ADMINISTRATIVE RULES

- 1) The Heading of the Part: Automobile Anti-Theft Mechanisms
- 2) Code Citation: 50 Ill. Adm. Code 932
- 3) Section Numbers:

932.20	Modify
932.40	Modify
932.60	Modify
- 4) Date Notice of Proposed Rules Published in the Register:
May 8, 1992; 16 Ill. Reg. 7279
- 5) Date JCAR Statement of Objection Published in the Register:
January 29, 1993; 17 Ill. Reg. 1240
- 6) Summary of Action Taken by the Agency: The Department agrees to delete, or withdraw the proposed language found in Sections 932.20, 932.40(d) and 932.60(d). It is the Department's intention, however, to retain the proposed language found in the introductory paragraph of Section 932.40 for purposes of clarification. We are also going to adopt the proposed changes found in Section 932.60(a)(3) and b(1) and (2).

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF REGULATORY FLEXIBILITY IMPACT ANALYSIS

Upon initial review, it has been determined that the following proposed rules promulgated by State agencies may impact small business:

PUBLIC HEALTH, DEPARTMENT OF
Intermediate Care for the Developmentally Disabled
Facilities Code; 77 Ill. Adm. Code 350
Published April 16, 1993 at 17 Ill. Reg. 6028

Sheltered Care Facilities Code; 77 Ill. Adm. Code 330
Published April 16, 1993 at 17 Ill. Reg. 6059

Skilled Nursing & Intermediate Care Facilities Code;
77 Ill. Adm. Code 300
Published April 16, 1993 at 17 Ill. Reg. 6074

Persons wishing to obtain more information concerning the impact on small business may contact:

Linda Brand
Department of Commerce and Community Affairs
Office of Regulatory Assistance
620 East Adams Street - 6th Floor
Springfield, Illinois 62701
(217) 524-1516

JOINT COMMITTEE ON ADMINISTRATIVE RULES
STRATTON OFFICE BUILDINGROOM D-1
SPRINGFIELD, ILLINOIS
9:00 A.M.
MAY 11, 1993

NOTICE: It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules
700 Stratton Building
Springfield, Illinois 62706

AGENDA

- I. Approval of April 13, 1993 Minutes
- II. Review of Proposed Agency Rulemaking

Aging

1. General Programmatic Requirements (89 Ill Adm Code 220)
 - First Notice Published: 17 Ill Reg 883 - 1/29/93
 - Expiration of Second Notice Period: 5/24/93

Educational Facilities Authority

2. Functions and Planning Program (23 Ill Adm Code 2310)
 - First Notice Published: 17 Ill Reg 1691 - 2/16/93
 - Expiration of Second Notice Period: 5/19/93

Employment Security

3. Employment (56 Ill Adm Code 2732)
 - First Notice Published: 17 Ill Reg 211 - 1/8/93
 - Expiration of Second Notice Period: 5/20/93

Environmental Protection Agency

4. Repeal of Public Participation in the Air Pollution Permit Program (35 Ill Adm Code 253)
 - First Notice Published: 16 Ill Reg 18194 - 12/4/92
 - Expiration of Second Notice Period: 5/27/93

5. Public Participation in the Air Pollution Permit Program for Major Sources in Non-Attainment Areas (35 Ill Adm Code 252)
 - First Notice Published: 16 Ill Reg 18202 - 12/4/92
 - Expiration of Second Notice Period: 5/27/93

Health Care Cost Containment Council

6. Data Collection (77 Ill Adm Code 2510)
 - First Notice Published: 16 Ill Reg 18913 - 12/11/92
 - Expiration of Second Notice Period: 6/4/93

7. Penalties (77 Ill Adm Code 2540)
 - First Notice Published: 16 Ill Reg 18915 - 12/11/92
 - Expiration of Second Notice Period: 6/4/93

8. Data Collection (77 Ill Adm Code 2510)
 - First Notice Published: 17 Ill Reg 1695 - 2/16/93
 - Expiration of Second Notice Period: 6/7/93

Health Facilities Planning Board

9. Health Care Worker Self-Referral (77 Ill Adm Code 1235)
 - First Notice Published: 17 Ill Reg 683 - 1/22/93
 - Expiration of Second Notice Period: 6/9/93

Insurance

10. Infertility Coverage (50 Ill Adm Code 2015)
 - First Notice Published: 17 Ill Reg 696 - 1/22/93
 - Expiration of Second Notice Period: 5/24/93

Mines and Minerals

11. Plugging and Restoration Contracts (44 Ill Adm Code 610)
 - First Notice Published: 17 Ill Reg 1697 - 2/16/93
 - Expiration of Second Notice Period: 5/28/93

Pollution Control Board

12. Design and Operation of Facilities (35 Ill Adm Code 1422)
 - First Notice Published: 16 Ill Reg 2002 - 12/28/92
 - Expiration of Second Notice Period: 5/13/93

13. General Provisions (35 Ill Adm Code 1420)
 - First Notice Published: 16 Ill Reg 19625 - 12/18/92
 - Expiration of Second Notice Period: 5/13/92

14. Activity Standards (35 Ill Adm Code 1421)
-First Notice Published: 16 Ill Reg 19615 - 12/18/92
-Expiration of Second Notice Period: 5/13/92
- Public Aid
15. Developmental Disabilities Service (89 Ill Adm Code 144)
-First Notice Published: 17 Ill Reg 899 - 1/29/93
-Expiration of Second Notice Period: 5/26/93
16. Collections and Recoveries (89 Ill Adm Code 165)
-First Notice Published: 17 Ill Reg 2110 - 2/19/93
-Expiration of Second Notice Period: 6/1/93
17. Related Program Provisions (89 Ill Adm Code 117)
-First Notice Published: 17 Ill Reg 2126 - 2/19/93
-Expiration of Second Notice Period: 6/1/93
18. Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill Adm Code 147)
-First Notice Published: 17 Ill Reg 1716 - 2/16/93
-Expiration of Second Notice Period: 6/9/93
- Racing Board
19. Violations (11 Ill Adm Code 1303)
-First Notice Published: 17 Ill Reg 1728 - 2/16/93
-Expiration of Second Notice Period: 5/20/93
- Rehabilitation Services
20. Grants and Contracts (89 Ill Adm Code 525)
-First Notice Published: 17 Ill Reg 947 - 1/29/93
-Expiration of Second Notice Period: 6/3/93
21. Confidentiality of Information (89 Ill Adm Code 505)
-First Notice Published: 17 Ill Reg 1731 - 2/16/93
-Expiration of Second Notice Period: 6/4/93
- Revenue
22. Income Tax (86 Ill Adm Code 100)
-First Notice Published: 17 Ill Reg 222 - 1/8/93
-Expiration of Second Notice Period: 6/3/93
- Secretary of State
23. Procedures and Standards (92 Ill Adm Code 1001)
-First Notice Published: 17 Ill Reg 1758 - 2/16/93
-Expiration of Second Notice Period: 5/27/93
24. Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill Adm Code 1040)
-First Notice Published: 17 Ill Reg 2856 - 3/5/93
-Expiration of Second Notice Period: 6/9/93
25. Issuance of Licenses (92 Ill Adm Code 1030)
-First Notice Published: 17 Ill Reg 956 - 1/29/93
-Expiration of Second Notice Period: 6/7/93
26. Illinois Safety Responsibility Law (92 Ill Adm Code 1070)
-First Notice Published: 17 Ill Reg 2863 - 3/5/93
-Expiration of Second Notice Period: 6/10/93
27. Issuance of Licenses (92 Ill Adm Code 1030)
-First Notice Published: 17 Ill Reg 1752 - 2/16/93
-Expiration of Second Notice Period: 6/10/93
28. Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill Adm Code 1040)
-First Notice Published: 17 Ill Reg 1747 - 2/16/93
-Expiration of Second Notice Period: 6/10/93
29. Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill Adm Code 1040)
-First Notice Published: 17 Ill Reg 2128 - 2/19/93
-Expiration of Second Notice Period: 6/10/93
- State Fire Marshal
30. Boiler and Pressure Vessel Safety Rules and Regulations (41 Ill Adm Code 120)
-First Notice Published: 16 Ill Reg 19291 - 12/18/92
-Expiration of Second Notice Period: 5/14/93
31. Fire Prevention and Safety (41 Ill Adm Code 100)
-First Notice Published: 16 Ill Reg 15681 - 10/16/92
-Expiration of Second Notice Period: 6/9/93
- Transportation
32. Specifications for Seat Safety Belts (92 Ill Adm Code 453)
-First Notice Published: 17 Ill Reg 2186 - 2/19/93
-Expiration of Second Notice Period: 5/24/93
- Treasurer
33. Home Ownership Made Easy Act (74 Ill Adm Code 750)
-First Notice Published: 16 Ill Reg 777 - 1/22/93
-Expiration of Second Notice Period: 5/13/93
- III. Certification of No Objection to Proposed Rulemaking

IV. Review of Emergency and Peremptory Rulemakings

Agriculture

34. Illinois Pseudorabies Control Act (8 Ill Adm Code 115)

-Notice Published: 17 Ill Reg 5906 - 4/9/93

35. Swine Disease Control and Eradication Act (8 Ill Adm Code 105)

-Notice Published: 17 Ill Reg 5910 - 4/9/93

Conservation

36. Sport Fishing Regulations for the Waters of Illinois (17 Ill Adm Code 810)

-Notice Published: 17 Ill Reg 5915 - 4/9/93

Financial Institutions

37. Uniform Disposition of Unclaimed Property Act (38 Ill Adm Code 180)

-Notice Published: 17 Ill Reg 6321 - 4/16/93

Professional Regulation

38. Real Estate Appraiser Certification (68 Ill Adm Code 1455)

-Notice Published: 17 Ill Reg 6668 - 4/30/93

Public Aid

39. Aid to Families with Dependent Children (89 Ill Adm Code 112)

-Notice Published: 17 Ill Reg 6325 - 4/16/93

Student Assistance Commission

40. Monetary Award Program (MAP) (23 Ill Adm Code 2735)

-Notice Published: 17 Ill Reg 6672 - 4/30/93

V. Exempt Rulemakings

Pollution Control Board

41. Hazardous Waste Management System: General (35 Ill Adm Code 720)

-Proposed Date: 11/6/92

-Adopted Date: 3/26/93

42. Identification and Listing of Hazardous Waste (35 Ill Adm Code 721)

-Proposed Date: 11/6/92

-Adopted Date: 3/26/93

43. Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (35 Ill Adm Code 725)

-Proposed Date: 11/6/92

-Adopted Date: 3/26/93

44. Land Disposal Restrictions (35 Ill Adm Code 728)

-Proposed Date: 11/6/92

-Adopted Date: 3/26/93

45. RCRA and UIC Permit Programs (35 Ill Adm Code 702)

-Proposed Date: 11/6/92

-Adopted Date: 3/26/92

46. RCRA Permit Program (35 Ill Adm Code 703)

-Proposed Date: 11/6/92

-Adopted Date: 3/26/93

47. Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (35 Ill Adm Code 724)

-Proposed Date: 11/6/92

-Adopted Date: 3/26/93

48. Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (35 Ill Adm Code 726)

-Proposed Date: 11/6/92

-Adopted Date: 3/26/93

49. Hazardous Waste Injection Restrictions (35 Ill Adm Code 738)

-Proposed Date: 11/6/92

-Adopted Date: 4/5/93

VI. Agency Responses to Joint Committee Action

Insurance

50. Automobile Anti-Theft Mechanisms (50 Ill Adm Code 932)

-First Published: 5/8/92

-Objection Date: 1/12/93

-Response: Agreement

Public Health/Health Facilities Planning Board

51. Health Facilities Planning Financial and Economic Feasibility Review (77 Ill Adm Code 1120)

-First Published: 4/3/92

-Objection Date: 1/12/93

-Response: No Response

ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of April 21, 1993 through April 27, 1993, and have been scheduled for review by the Committee at its May 11, 1993 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
6/4/93	Department of Rehabilitation Services, Confidentiality of Information (89 Ill Adm Code 505)	2/16/93 17 Ill Reg 1731	5/11/93
6/4/93	Illinois Health Care Cost Containment Council, Data Collection (77 Ill Adm Code 2510)	12/11/92 16 Ill Reg 18913	5/11/93
6/4/93	Illinois Health Care Cost Containment Council, Penalties (77 Ill Adm Code 2540)	12/11/92 16 Ill Reg 18915	5/11/93
6/9/93	Health Facilities Planning Board, Health Care Worker Self-Referral (77 Ill Adm Code 1235)	1/22/93 17 Ill Reg 683	5/11/93
6/9/93	Department of Public Aid, Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill Adm Code 147)	2/16/93 17 Ill Reg 1716	5/11/93
6/9/93	Secretary of State, Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill Adm Code 1040)	3/5/93 17 Ill Reg 2856	5/11/93
6/9/93	Office of the State Fire Marshal, Fire Prevention and Safety (41 Ill Adm Code 100)	10/16/92 16 Ill Reg 15681	5/11/93
6/7/93	Illinois Health Care Cost Containment Council, Data Collection (77 Ill Adm Code 2510)	2/16/93 17 Ill Reg 1695	5/11/93

ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED
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Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
6/7/93	Secretary of State, Issuance of Licenses (92 Ill Adm Code 1030)	1/29/93 17 Ill Reg 956	5/11/93
6/10/93	Secretary of State, Illinois Safety Responsibility Law (92 Ill Adm Code 1070)	3/5/93 17 Ill Reg 2863	5/11/93
6/10/93	Secretary of State, Issuance of Licenses (92 Ill Adm Code 1030)	2/16/93 17 Ill Reg 1752	5/11/93
6/10/93	Secretary of State, Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill Adm Code 1040)	2/16/93 17 Ill Reg 1747	5/11/93
6/10/93	Secretary of State, Cancellation, Revocation or Suspension of Licenses or Permits (92 Ill Adm Code 1040)	2/19/93 17 Ill Reg 2128	5/11/93

ILLINOIS REGISTER

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Public Access to Information
- 2) Code Citation: 2 Ill. Adm. Code 5176
- 3) Section: Authority Note
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001 et seq.) [5 ILCS 100/1-1 et seq.] amended pursuant to P.A. 87-823, effective July 1, 1992, requires each agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Division, Office of Secretary of State, by July 1, 1993
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

	IAPA Citation Conversion
<u>Section No.</u>	<u>Existing Code</u> <u>New Cite</u>

Authority Note	Sec. 1005-15	Sec. 5-15
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This change has been made to the rules on file with the Administrative Code Division of the Index Department, Office of Secretary of State. This change does not affect the validity of the rules nor the date on which they became effective.

ILLINOIS REGISTER

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE PURSUANT TO P.A. 87-823

- 1) Heading of the Part: Public Information, Rulemaking and Organization
- 2) Code Citation: 2 Ill. Adm. Code 5175
- 3) Section: Authority Note
- 4) The Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1001 et seq.) [5 ILCS 100/1-1 et seq.] amended pursuant to P.A. 87-823, effective July 1, 1992, requires each agency to integrate all renumbered citations to the Act in their rules on file with the Administrative Code Division, Index Division, Office of Secretary of State, by July 1, 1993
- 5) Pursuant to Section 5-155 of the Illinois Administrative Procedure Act, the following changes in the above named rules are made:

	IAPA Citation Conversion
<u>Section No.</u>	<u>Existing Code</u> <u>New Cite</u>

Authority Note	Sec. 1005-15	Sec. 5-15
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This change has been made to the rules on file with the Administrative Code Division of the Index Department, Office of Secretary of State. This change does not affect the validity of the rules nor the date on which they became effective.

PROCLAMATION

93-121

DISASTER AREAS - CALHOUN, HENRY,
JERSEY AND ROCK ISLAND COUNTIES

A series of severe thunderstorms with torrential rains and damaging winds that began in mid-March have continued during the past month, causing serious flooding and a disruption in public services and damages to homes, businesses, farms, livestock, agricultural levees, roads and other property along the Rock and Green rivers in the northwestern part of the State and along the lower Illinois River near the confluence with the Mississippi River.

In the interest of aiding those counties affected by the adverse weather and minimizing any further impact on public health, safety and welfare of our citizens who suffered losses because of the flood conditions, I hereby declare Calhoun, Henry, Jersey, and Rock Island counties to be State of Illinois Disaster Areas, pursuant to provisions of Section 3305/7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7 (1993 State Bar Edition).

This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating other State agency and volunteer resources in disaster response and recovery operations, provide for the reassessment of real and personal property substantially damaged by the flood; and make possible any requests for Federal disaster assistance.

Issued by the Governor April 22, 1993.

Filed with the Secretary of State April 22, 1993.

93-122

DISASTER AREAS - KANE,
LAKE AND MC HENRY COUNTIES

A series of severe thunderstorms with torrential rains and damaging winds that began in mid-March have continued during the past month, causing serious flooding and a disruption in public services and damages to homes, businesses, farms, livestock, agricultural levees, roads and other property along the Chain of Lakes and Fox and Des Plaines rivers in the northeastern part of the State.

In the interest of aiding those counties affected by the adverse weather and minimizing any further impact on public health, safety and welfare of our citizens who suffered losses because of the flood conditions, I hereby declare Kane, Lake and McHenry counties to be State of Illinois Disaster Areas, pursuant to provisions of Section 3305/7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7 (1992 State Bar Edition).

This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating other State agency and volunteer resources in disaster response and recovery operations, provide for the reassessment of real and personal property substantially damaged by the flood; and make possible any requests for Federal disaster assistance.

Issued by the Governor April 26, 1993.

Filed with the Secretary of State April 26, 1993.

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR Objections
RQ - Request for Correction	
EC - Expedited Corrections	

*Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

4 Ill. Adm. Code 1000 Americans With Disabilities Act Grievance Procedure (A-20092/92; CC-1673)

AGING, DEPARTMENT ON

89 Ill. Adm. Code 240 Community Care Program (P-12251/92; A-224) (P-15203/92; A-6090)
89 Ill. Adm. Code 220 General Programmatic Requirements (P-883) (E-1179)

AGRICULTURE, DEPARTMENT OF

4 Ill. Adm. Code 550 Americans With Disabilities Act Grievance Procedure (A-11744/92; CC-1673)
8 Ill. Adm. Code 65 Egg & Egg Products Act (P-527; A-6749)
8 Ill. Adm. Code 115 Ill. Pseudorabies Control Act (E-5906) (P-6373)
8 Ill. Adm. Code 256 Lawncare Wash Water & Rinsate Collection (P-14975/92; A-2189)
8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-2063)
8 Ill. Adm. Code 750 Sustainable Agriculture (P-1251)
8 Ill. Adm. Code 105 Swine Disease Control & Eradication Act (E-5910) (P-6377)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

4 Ill. Adm. Code 500 Americans With Disabilities Act Grievance Procedure (A-11426/92; CC-1673)

ATTORNEY GENERAL

4 Ill. Adm. Code 125 Americans With Disabilities Act Grievance Procedure (P-2283/92; A-1811)

AUDITOR GENERAL

4 Ill. Adm. Code 1125 Americans With Disabilities Act Grievance Procedure (P-4523)

BANKS AND TRUST COMPANIES, COMMISSIONER OF

4 Ill. Adm. Code 375 Americans With Disabilities Act Grievance Procedure (A-15976/92; CC-1673)

CAPITAL DEVELOPMENT BOARD

4 Ill. Adm. Code 725 Americans With Disabilities Act Grievance Procedure (A-11432/92; CC-1673)
71 Ill. Adm. Code 500 Asbestos Abatement Authority Act Procedures (P-3917)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-3922)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

44 Ill. Adm. Code 5000 Acquisition, Management & Disposal of Real Property (P-11378/92; A-1006) (P-2105) (E-2361)
80 Ill. Adm. Code 303 Conditions of Employment (P-19285/92; A-5587)
80 Ill. Adm. Code 2160 Local Government Health Plan (P-3577)
80 Ill. Adm. Code 302 Merit & Fitness (P-17187/92; A-3169)
80 Ill. Adm. Code 310 Pay Plan (P-191; C-672) (P-13679/92; A-238) (PP-498) (P-13179/92; A-590) (P-14001/92; A-1819) (P-18139/92; A-6441)
80 Ill. Adm. Code 2650 Solicitation for Charitable Payroll Deductions (P-2449)
44 Ill. Adm. Code 1 Standard Procurement (P-12808/92; A-600) (P-3926)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 304 Access to & Eligibility for Child Welfare Services (P-7545/92; A-251)
89 Ill. Adm. Code 336 Appeal of Child Abuse & Neglect Investigation Findings (P-7963/92; A-1026)
89 Ill. Adm. Code 330 Child Custody Investigations & Supervision Related to Custodian or Visitation Judgements (P-1259)
89 Ill. Adm. Code 377 Facilities & Programs Exempt from Licensure (P-7553/92; A-259)
89 Ill. Adm. Code 402 Licensing Standards for Foster Family Homes (P-11707/92; A-267)
89 Ill. Adm. Code 378 Multiple Licensure (PR-7561/92; AR-272)
89 Ill. Adm. Code 335 Relative Home Placement (P-6681)
89 Ill. Adm. Code 309 Review & Appeal Process (PR-7982/92; AR-1044)
89 Ill. Adm. Code 337 Service Appeal Process (P-7999/92; A-1046)
89 Ill. Adm. Code 302 Services Delivered by the Department (P-7565/92; A-274) (P-2460) (E-2513)

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

4 Ill. Adm. Code 575 Americans With Disabilities Act Grievance Procedure (A-14621/92; CC-1673)
47 Ill. Adm. Code 125 Emergency Community Services Homeless Grant Program (P-18879/92; A-6180)
14 Ill. Adm. Code 520 Enterprise Zone Program (P-13691/92; A-1837)
47 Ill. Adm. Code 100 Low Income Home Energy Assistance Program (P-16707/92; A-3836)
56 Ill. Adm. Code 2600 Service Delivery System & State Responsibilities (P-7120/92; A-6483)
1 Ill. Adm. Code 300 Small Business Impact Analysis Procedures (P-11391/92; A-1511)
47 Ill. Adm. Code 130 State Administration of the Ill. Neighborhood Corps Program (PR-1)

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COMMERCE COMMISSION, ILLINOIS					
4 Ill. Adm. Code 400	Americans With Disabilities Act Grievance Procedure (A-12439/92; CC-1673)		17 Ill. Adm. Code 720	Taking of Wild Turkeys-Fall Archery Season, The (P-15260/92; A-281) (P-4680)	
83 Ill. Adm. Code 305	Construction of Electric Power & Communication Lines (P-2462)		17 Ill. Adm. Code 715	Taking of Wild Turkeys-Fall Gun Season (P-4689)	
83 Ill. Adm. Code 756	Dual Party Relay Service (P-14004/92; A-1848)		17 Ill. Adm. Code 710	Taking of Wild Turkeys-Spring Season, The (P-18181/92; A-3184)	
92 Ill. Adm. Code 1360	Equipment Leases (P-1685)		17 Ill. Adm. Code 670	White-Tailed Deer Hunting by Use of Bow and Arrow (P-15265/92; A-286) (P-4698)	
83 Ill. Adm. Code 590	Minimum Safety Standards for Transportation of Gas & For Gas Pipeline Facilities (P-2466)		17 Ill. Adm. Code 650	White-Tailed Deer Hunting by Use of Firearms (P-4718)	
83 Ill. Adm. Code 255	Notice Requirements for Change in Rates for Cooling, Electric, Gas, Heating, Telecommunications, Sewer or Water Services (P-13703/92; A-798)		17 Ill. Adm. Code 660	White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles (P-4742)	
83 Ill. Adm. Code 315	Pole Attachment Rates, Terms & Conditions Applicable to Cable Television Companies & Electric & Telephone Public Utilities (P-202)		17 Ill. Adm. Code 740	Woodchuck, Snipe, Rail & Teal Hunting (P-4757)	
83 Ill. Adm. Code 280	Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (P-12810/92; A-805) (P-6382)		CORRECTIONS, DEPARTMENT OF		
83 Ill. Adm. Code 735	Procedures Governing the Establishment of Credit, Billing Termination of Service & Issuance of Telephone Directories for Telephone Utilities in the State of Ill. (G.O. #218) (P-6386)		20 Ill. Adm. Code 440	Advocacy Services (PR-16371/92; AR-1519)	
83 Ill. Adm. Code 275	Promotional Practices of Electric & Gas Public Utilities (P-8269/92; A-98; RQ-2075; EC-3902)		4 Ill. Adm. Code 475	American With Disabilities Act Grievance Procedure (A-10423/92; CC-1673)	
83 Ill. Adm. Code 755	Telecommunications Access for the Hearing & Voice Impaired (P-16709/92; A-5594)		20 Ill. Adm. Code 525	Rights & Privileges (PP-1666)	
			20 Ill. Adm. Code 502	Safety, Maintenance & Sanitation (P-6394)	
			CRIMINAL JUSTICE INFORMATION AUTHORITY		
			4 Ill. Adm. Code 150	Americans With Disabilities Act Grievance Procedure (P-1263)	
COMMUNITY COLLEGE BOARD, ILLINOIS			DEVELOPMENT FINANCE AUTHORITY, ILLINOIS		
23 Ill. Adm. Code 1501	Administration of the Ill. Public Community College Act (P-12274/92; A1853) (P-6686)		14 Ill. Adm. Code 1230	Employee Ownership Assistance Program (P-9222/92; A-1859)	
4 Ill. Adm. Code 1050	Americans With Disabilities Act Grievance Procedure (P-17399/92; A-4185)		EDUCATIONAL FACILITIES AUTHORITY, ILLINOIS		
			23 Ill. Adm. Code 2310	Functions & Planning Program (P-1691)	
COMMUNITY DEVELOPMENT FINANCE CORPORATION, ILLINOIS			EDUCATION, STATE BOARD OF		
47 Ill. Adm. Code 700	By-Laws (P-4530)		23 Ill. Adm. Code 1	Public Schools Evaluation, Recognition & Supervision (P-8684/92; A-18010/92; EC-3553)	
			23 Ill. Adm. Code 228	Transitional Bilingual Education (P-9253/92; A-104)	
COMPTROLLER			EMPLOYMENT SECURITY, DEPARTMENT OF		
4 Ill. Adm. Code 775	Americans with Disabilities Act Grievance Procedure (P-13710/92; A-6499)		56 Ill. Adm. Code 2840	Claimant's Reason For Separation From Work (P-886)	
CONSERVATION, DEPARTMENT OF			56 Ill. Adm. Code 2770	Determination of Unemployment Contributions (P-15625/92; A-295)	
17 Ill. Adm. Code 830	Commercial Fishing & Musseling in Certain Waters of the State (P-17405/92; A-3177)		56 Ill. Adm. Code 2732	Employment (P-211) (P-5985)	
17 Ill. Adm. Code 950	Dog Training on Department-Owned or -Managed Sites (P-6390)		56 Ill. Adm. Code 2712	General Application (P-17853/92; A-3194)	
17 Ill. Adm. Code 730	Dove Hunting (P-4539)		56 Ill. Adm. Code 2765	Payment of Unemployment Contributions, Interest & Penalties (P-12006/92; A-308) (P-15638/92; A-614) (P-2523)	
17 Ill. Adm. Code 590	Duck, Goose & Coot Hunting (E-1658) (4554)		ENVIRONMENTAL PROTECTION AGENCY		
17 Ill. Adm. Code 510	General Hunting & Trapping on Department-Owned or -Managed Sites (P-4601)		35 Ill. Adm. Code 858	Procedures for Operation of the Non-Hazardous Solid Waste Fee System (P-4621/92; A-4190)	
17 Ill. Adm. Code 1050	Ill. List of Endangered & Threatened Flora (P-4608)		35 Ill. Adm. Code 876	Processing of Claims for Payment from the Underground Storage Tank Fund (E-16191/92; O-18856/92; RC-18857/92; M-2438)	
17 Ill. Adm. Code 570	Muskkrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver & Woodchuck (Groundhog) Trapping (P-4611)		35 Ill. Adm. Code 320	Permit Fees for Installing or Extending Sewers (P-2469)	
17 Ill. Adm. Code 220	North Point Marina (P-19993/92; A-6760)		FARM DEVELOPMENT AUTHORITY, ILLINOIS		
17 Ill. Adm. Code 550	Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote & Woodchuck (Groundhog) Hunting (P-4622)		8 Ill. Adm. Code 1400	Ill. Farm Development Authority (P-8297/92; A-3618) (P-3956)	
17 Ill. Adm. Code 810	Sport Fishing Regulations for the Waters of Ill. (P-17414/92; A-3853; E-5915) (P-4636)				
17 Ill. Adm. Code 690	Squirrel Hunting (P-4672)				

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38 Ill. Adm. Code 180	Uniform Disposition of Unclaimed Property Act (P-14006/92; A-123) (P-5990) E-6321)	1 Ill. Adm. Code 260	Complaint Review (CC-5960)
38 Ill. Adm. Code 190	Ill. Credit Union Act (P-6599)	1 Ill. Adm. Code 245	Expedited Corrections (CC-5962)
FIRE MARSHAL, OFFICE OF THE STATE		1 Ill. Adm. Code 250	Five-Year Evaluation of all Existing Rules (CC-5964)
4 Ill. Adm. Code 200	Americans With Disabilities Act Grievance Procedure (P-1954/92; A-2200)	1 Ill. Adm. Code 210	General Policies (CC-5965)
41 Ill. Adm. Code 170	Storage, Transportation, Sale & Use of Petroleum & Other Regulated Substances (E-1186)	1 Ill. Adm. Code 230	Review of Emergency Rulemaking (CC-5967)
HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS		1 Ill. Adm. Code 240	Review of Peremptory Rulemaking (CC-5969)
77 Ill. Adm. Code 2510	Data Collection (P-1695) (E-2031)	1 Ill. Adm. Code 220	Review of Proposed Rulemaking (CC-5971)
HEALTH FACILITIES PLANNING BOARD, ILLINOIS		LABOR, DEPARTMENT OF	
77 Ill. Adm. Code 1235	Health Care Worker Self-Referral (E-432; O-3056) (P-683)	56 Ill. Adm. Code 350	Health & Safety (P-3780/92; O-180; R-1239; A-1074)
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4 Ill. Adm. Code 975	Americans With Disabilities Act Grievance Procedure (A-19806/92; CC-1673)	80 Ill. Adm. Code 1200	General Procedures (P-3703)
HISTORIC PRESERVATION AGENCY, ILLINOIS		80 Ill. Adm. Code 1230	Impasse Resolution (P-3718)
17 Ill. Adm. Code 4180	Rules for Review of State Agency Undertakings (P-13718/92; A-1521)	LABOR RELATIONS BOARD, ILLINOIS STATE/ILLINOIS LOCAL (CONT'D)	
HOUSING DEVELOPMENT AUTHORITY, ILLINOIS		80 Ill. Adm. Code 1210	Representation Proceedings (P-3734)
4 Ill. Adm. Code 700	Americans with Disabilities Act Grievance Procedure (P-15684/92; A-6507)	80 Ill. Adm. Code 1220	Unfair Labor Practice Proceedings (P-3755)
47 Ill. Adm. Code 370	National Affordable Housing Act (HOME) Program (P-11713/92; A-319)	MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES, DEPARTMENT OF	
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56 Ill. Adm. Code 2520	Procedural (P-10)	59 Ill. Adm. Code 121	Early Intervention Program (P-15715/92; RC-3689; A-4261)
INDUSTRIAL COMMISSION, ILLINOIS		59 Ill. Adm. Code 119	Minimum Standards for Certification of Developmental Training Programs (P-6397)
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74 Ill. Adm. Code 730	Smart Money Program Confidentiality Requirements (PP-1671; O-3057) (P-3831)		Index of Letter Rulings (4th Quarter-1992) (ROT)		6552
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REGULATORY FLEXIBILITY ANALYSIS

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

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JOINT COMMITTEE ON ADMINISTRATIVE RULES

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The Sections Affected Index lists, by Title, each Section of a Part on which rulemaking activity has occurred in this volume (calendar year) of the Register. The columns indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash (e.g. 11 Ill. Adm. Code 436.05 was proposed last year and adopted this year. The action entry reads: (P-15655/91; A-4520). The codes are listed below.

TYPE OF RULEMAKING

am = amendment to existing Section
cc = codification changes
n = new Section
r = repeal of existing Section
re = recodified
= renumbered

ACTION CODES

A = Adopted rule
C = Correction
P = Proposed Rule
E = Emergency rule
PP = Peremptory rule
M = Modification
W = Withdrawal
RQ = Request for Correction
PF = Prohibited filing
S = Suspension
O = JCAR Objection
R = Refusal to Modify
F = Failure to Remedy
Objections Objection
RC = Recommendation
EC = Expedited Correction
CC = Codification Changes

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TITLE 1			
100.100	am	(P-2867)	100.700 am (P-2867)
100.110	am	(P-2867)	100.710 am (P-2867)
100.120	am	(P-2867)	100.740 am (P-2867)
100.130	am	(P-2867)	100.800 am (P-2867)
100.140	am	(P-2867)	100.810 am (P-2867)
100.150	am	(P-2867)	100.820 am (P-2867)
100.160	am	(P-2867)	100.900 am (P-2867)
100.180	am	(P-2867)	100.910 am (P-2867)
100.200	am	(P-2867)	100.920 am (P-2867)
100.210	am	(P-2867)	100.1000 am (P-2867)
100.220	am	(P-2867)	100.1010 am (P-2867)
100.230	am	(P-2867)	100.1020 am (P-2867)
100.240	am	(P-2867)	100.1030 am (P-2867)
100.250	n	(P-2867)	100.1100 am (P-2867)
100.260	am	(P-2867)	100.1110 am (P-2867)
100.270	am	(P-2867)	100.1150 am (P-2867)
100.280	am	(P-2867)	100.1160 n (P-2867)
100.300	am	(P-2867)	100.1200 am (P-2867)
100.310	am	(P-2867)	100.1210 am (P-2867)
100.320	am	(P-2867)	100. Ap.A am (P-2867)
100.330	am	(P-2867)	11.A am (P-2867)
100.335	am	(P-2867)	100. Ap.B n (P-2867)
100.340	am	(P-2867)	11.G n (P-2867)
100.345	am	(P-2867)	11.H n (P-2867)
100.350	am	(P-2867)	11.I n (P-2867)
100.360	am	(P-2867)	100. Ap.D am (P-2867)
100.380	am	(P-2867)	11.A am (P-2867)
100.385	am	(P-2867)	100. Ap.E am (P-2867)
100.390	am	(P-2867)	11.C am (P-2867)
100.400	am	(P-2867)	11.D am (P-2867)
100.410	am	(P-2867)	11.F am (P-2867)
100.415	am	(P-2867)	11.G n (P-2867)
100.420	am	(P-2867)	210.100 (CC-5965)
100.430	am	(P-2867)	210.200 (CC-5965)
100.440	am	(P-2867)	210.400 (CC-5965)
100.450	am	(P-2867)	210.450 (CC-5965)
100.500	am	(P-2867)	210.500 (CC-5971)
100.510	am	(P-2867)	220.100 (CC-5971)
100.530	am	(P-2867)	220.150 (CC-5971)
100.540	am	(P-2867)	220.200 (CC-5971)
100.545	am	(P-2867)	220.250 (CC-5971)
100.550	am	(P-2867)	220.275 (CC-5971)
100.600	am	(P-2867)	220.285 (CC-5971)
100.610	am	(P-2867)	220.300 (CC-5971)
100.620	am	(P-2867)	220.450 (CC-5971)
100.640	am	(P-2867)	220.500 (CC-5971)
100.650	am	(P-2867)	220.545 (CC-5971)
100.660	am	(P-2867)	220.600 (CC-5971)
			220.760 (CC-5971)
			220.780 (CC-5971)

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TITLE 1 (CONT'D)			TITLE 4 (CONT'D)		
220.900	(CC-5971)	300.400 am	400	(A-12439/92; CC-1673)	65.10 am
220.950	(CC-5971)	300.Ap.A r	475	(A-10423/92; CC-1673)	65.100 am
220.1000	(CC-5971)		500	(A-11426/92; CC-1673)	65.130 am
220.1100	(CC-5971)		550	(A-11744/92; CC-1673)	65.140 am
220.1150	(CC-5971)	800.20 n	575	(A-14621/92; CC-1673)	65.150 am
220.1200	(CC-5971)	850.10 n	700.101	(P-15684/92; A-6507)	65.170 am
220.1300	(CC-5971)		700.102	(P-15684/92; A-6507)	65.190 am
220.1300	(CC-5971)		700.103	(P-15684/92; A-6507)	65.200 am
220.Ex.F	(CC-5971)	125.10 n	700.201	(P-15684/92; A-6507)	65.210 am
220.Ex.F	(CC-5971)	125.20 n	700.202	(P-15684/92; A-6507)	65.220 am
220.Ex.G	(CC-5971)	125.30 n	700.203	(P-15684/92; A-6507)	65.230 am
230.100	(CC-5967)	125.40 n	700.204	(P-15684/92; A-6507)	105.30 am
230.200	(CC-5967)	125.50 n	725	(A-11432/92; CC-1673)	115.80 am
230.400	(CC-5967)	125.60 n	750	(A-11418/92; CC-1673)	125.270 am
230.550	(CC-5967)	125.70 n	775.10	(P-13710/92; A-6499)	125.390 am
230.600	(CC-5967)	125.80 n	775.20	(P-17310/92; A-6499)	256.10 n
230.700	(CC-5967)	125.80 n	775.30	(P-17310/92; A-6499)	256.20 n
230.800	(CC-5967)	150.10 n	775.40	(P-17310/92; A-6499)	256.30 n
230.1000	(CC-5967)	150.20 n	775.50	(P-17310/92; A-6499)	256.40 n
230.Ex.A	(CC-5967)	150.30 n	775.60	(P-17310/92; A-6499)	256.50 n
230.Ex.B	(CC-5967)	150.40 n	775.70	(P-17310/92; A-6499)	256.60 n
230.Ex.C	(CC-5967)	150.50 n	775.Ap.A	(P-17310/92; A-6499)	256.70 n
230.Ex.F	(CC-5967)	150.60 n	975	(A-19806/92; CC-1673)	256.80 n
240.100	(CC-5969)	200.1 n	1000	(A-20092/92; CC-1673)	256.90 n
240.200	(CC-5969)	200.2 n	1050.10	(P-17399/92; A-4185)	750.10 n
240.500	(CC-5969)	200.20 n	1050.20	(P-17399/92; A-4185)	750.20 n
240.650	(CC-5969)	200.30 n	1050.30	(P-17399/92; A-4185)	750.30 n
240.700	(CC-5969)	200.50 n	1050.40	(P-17399/92; A-4185)	750.40 n
240.800	(CC-5969)	200.60 n	1050.50	(P-17399/92; A-4185)	1400.146 n
240.900	(CC-5969)	200.70 n	1050.60	(P-17399/92; A-4185)	1400.147 am
240.1100	(CC-5969)	225.10 n	1050.70	(P-17399/92; A-4185)	
245.100	(CC-5962)	225.20 n	1075.10	(P-14182/92; A-142)	1400.149 am
245.120	(CC-5962)	225.30 n	1075.20	(P-14182/92; A-142)	
245.130	(CC-5962)	225.40 n	1075.30	(P-14182/92; A-142)	
245.140	(CC-5962)	225.50 n	1075.40	(P-14182/92; A-142)	
245.140	(CC-5962)	225.60 n	1075.50	(P-14182/92; A-142)	
245.Ex.A	(CC-5962)	225.70 n	1075.60	(P-14182/92; A-142)	
245.Ex.B	(CC-5962)	275	1075.70	(P-14182/92; A-142)	
260.100	(CC-5960)	300	1125.10	(P-4523)	205.50 n
260.350	(CC-5960)	325	1125.20	(P-4523)	205.60 n
260.900	(CC-5960)	350.110 n	1125.30	(P-4523)	205.70 n
260.950	(CC-5960)	350.120 n	1125.40	(P-4523)	205.80 n
260.1000	(CC-5960)	350.130 n	1125.50	(P-4523)	205.110 n
260.1200	(CC-5960)	350.140 n	1125.60	(P-4523)	205.120 n
260.Ex.A	(CC-5960)	350.150 n	1125.70	(P-4523)	205.130 n
260.Ex.B	(CC-5960)	350.160 n			
300.100	(P-11391/92; A-1511)	350.170 am			
300.200	(P-11391/92; A-1511)	350.180 am			
300.300	(P-11391/92; A-1511)	375 r			

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205.170	n	(P-3594) (E-6859)	509.20	am	(P-6955/92; A-3649)
205.180	n	(P-3594) (E-6859)	509.30	am	(P-6955/92; A-3649)
205.190	n	(P-3594) (E-6859)	509.40	am	(P-6955/92; A-3649)
205.250	n	(P-3594) (E-6859)	509.50	am	(P-6955/92; A-3649)
205.260	n	(P-3594) (E-6859)	509.60	am	(P-6955/92; A-3649)
205.270	n	(P-3594) (E-6859)	509.70	am	(P-6955/92; A-3649)
205.280	n	(P-3594) (E-6859)	509.75	am	(P-6955/92; A-3649)
205.290	n	(P-3594) (E-6859)	509.80	am	(P-6955/92; A-3649)
205.300	n	(P-3594) (E-6859)	509.90	am	(P-6955/92; A-3649)
205.310	n	(P-3594) (E-6859)	509.95	n	(P-6955/92; A-3649)
205.320	n	(P-3594) (E-6859)	509.100	am	(P-6955/92; A-3649)
205.330	n	(P-3594) (E-6859)	509.110	am	(P-6955/92; A-3649)
205.340	n	(P-3594) (E-6859)	509.130	r	(P-6955/92; A-3649)
205.350	n	(P-3594) (E-6859)	509.140	am	(P-6955/92; A-3649)
205.360	n	(P-3594) (E-6859)	509.150	am	(P-6955/92; A-3649)
205.370	n	(P-3594) (E-6859)	509.160	am	(P-6955/92; A-3649)
205.380	n	(P-3594) (E-6859)	509.170	am	(P-6955/92; A-3649)
205.420	n	(P-3594) (E-6859)	509.175	r	(P-6955/92; A-3649)
205.430	n	(P-3594) (E-6859)	509.190	am	(P-6955/92; A-3649)
205.440	n	(P-3594) (E-6859)	509.195	r	(P-6955/92; A-3649)
205.450	n	(P-3594) (E-6859)	509.200	am	(P-6955/92; A-3649)
205.460	n	(P-3594) (E-6859)	509.210	am	(P-6955/92; A-3649)
205.470	n	(P-3594) (E-6859)	509.220	am	(P-6955/92; A-3649)
205.480	n	(P-3594) (E-6859)	509.230	am	(P-6955/92; A-3649)
205.490	n	(P-3594) (E-6859)	509.240	r	(P-6955/92; A-3649)
205.500	n	(P-3594) (E-6859)	509.250	r	(P-6955/92; A-3649)
205.510	n	(P-3594) (E-6859)	509.265	r	(P-6955/92; A-3649)
205.520	n	(P-3594) (E-6859)	509.270	am	(P-6955/92; A-3649)
205.530	n	(P-3594) (E-6859)	510.30	am	(P-6746)
205.540	n	(P-3594) (E-6859)	510.200	am	(P-4155)
205.550	n	(P-3594) (E-6859)	510.220	am	(P-1728)
205.560	n	(P-3594) (E-6859)	1303.70	am	(P-2439/92; A-3034)
205.570	n	(P-3594) (E-6859)	1305.120	r	(P-2439/92; A-3034)
205.580	n	(P-3594) (E-6859)	1305.130	r	(P-2439/92; A-3034)
205.590	n	(P-3594) (E-6859)	1305.140	am	(P-4158)
205.600	n	(P-3594) (E-6859)	1409.10	am	(P-4158)
205.610	n	(P-3594) (E-6859)	1409.20	am	(P-4158)
205.620	n	(P-3594) (E-6859)	1409.310	am	(P-4158)
205.650	n	(P-3594) (E-6859)	1409.410	am	(P-4158)
205.660	n	(P-3594) (E-6859)	1409.510	am	(P-4158)
205.670	n	(P-3594) (E-6859)	1409.710	am	(P-4158)
205.680	n	(P-3594) (E-6859)	1409.810	am	(P-4158)
205.690	n	(P-3594) (E-6859)	1409.100	am	(P-4158)
205.700	n	(P-3594) (E-6859)	1409.120	am	(P-4158)
205.710	n	(P-3594) (E-6859)	1409.130	am	(P-4158)
205.720	n	(P-3594) (E-6859)	1409.135	am	(P-4158)
205.730	n	(P-3594) (E-6859)	1409.138	am	(P-4158)
509.10	am	(P-6955/92; A-3649)	1409.140	am	(P-4158)

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1409.150	am	(P-4158)	1230.540	n	(P-9222/92; A-1859)
1409.160	am	(P-4158)	TITLE 17		
1409.170	am	(P-4158)	220.30	am	(P-1993/92; A-6760)
1409.180	am	(P-4158)	220.60	am	(P-1993/92; A-6760)
1409.185	am	(P-4158)	510.10	am	(P-4601)
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1413.150	am	(P-13218/92; A-1628)	550.20	am	(P-4622)
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218.606 r	218.606	r	(P-4905)
218.608 am	218.608	am	(P-4905)
218.609 am	218.609	am	(P-4905)
218.610 am	218.610	am	(P-4905)
218.611 am	218.611	am	(P-4905)
218.612 r	218.612	r	(P-4905)
218.613 r	218.613	r	(P-4905)
218.620 am	218.620	am	(P-4905)
218.621 am	218.621	am	(P-4905)
218.623 am	218.623	am	(P-4905)
218.624 am	218.624	am	(P-4905)
218.628 am	218.628	am	(P-4905)
218.636 am	218.636	am	(P-4905)
218.637 am	218.637	am	(P-4905)
218.640 #	218.640	#	(P-4905)
218.642 #	218.642	#	(P-4905)
218.644 #	218.644	#	(P-4905)
218.644 am	218.644	am	(P-4905)
218.875 #	218.875	#	(P-4905)
218.877 #	218.877	#	(P-4905)
218.879 r	218.879	r	(P-4905)
218.881 r	218.881	r	(P-4905)
218.883 r	218.883	r	(P-4905)
218.886 #	218.886	#	(P-4905)
218.920 am	218.920	am	(P-4905)
218.923 am	218.923	am	(P-4905)
218.926 am	218.926	am	(P-4905)
218.927 am	218.927	am	(P-4905)
218.928 am	218.928	am	(P-4905)
218.940 am	218.940	am	(P-4905)
218.943 am	218.943	am	(P-4905)
218.946 am	218.946	am	(P-4905)

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TITLE 35 (CONT'D)		TITLE 38 (CONT'D)	
724.404	n	400.110	re
724.410	am	400.120	re
724.673	am	400.130	re
725.113	am	400.140	re
725.115	am	400.141	re
725.119	n	400.142	re
725.173	am	400.143	re
725.321	am	400.150	re
725.322	r	400.205	re
725.323	r	400.210	re
725.323	n	400.220	re
725.324	n	400.230	re
725.326	am	400.240	re
725.328	am	400.250	re
725.354	am	400.260	re
725.355	n	400.270	re
725.359	n	400.280	re
725.360	n	400.290	re
725.401	am	400.310	re
725.402	r	400.410	re
725.403	n	400.420	re
725.404	n	400.430	re
725.410	am	400.440	re
725.543	am	400.510	re
726.200	am	400.615	re
728.103	am	400.620	re
728.135	am	400.630	re
728.141	am	400.640	re
728.141	am	400.650	re
728.141	am	400.660	re
728.141	am	400.665	re
728.141	am	400.670	re
728.141	am	400.675	re
728.141	am	400.680	re
728.141	am	400.690	re
728.141	am	400.700	re
728.141	am	400.710	re
728.141	am	400.720	re
728.141	am	400.810	re
728.141	am	400.910	re
728.141	am	400.1010	re
728.141	am	400.1020	re
728.141	am	400.1030	re
728.141	am	400.1040	re
728.141	am	400.1050	re
728.141	am	400.1060	re
728.141	am	400.1070	re
728.141	am	400.1080	re
728.141	am	400.1090	re
728.141	am	400.1100	re
728.141	am	400.1110	re
728.141	am	400.1120	re
728.141	am	400.1130	re
728.141	am	400.1140	re
728.141	am	400.1150	re
728.141	am	400.1160	re
728.141	am	400.1170	re
728.141	am	400.1180	re
728.141	am	400.1190	re
728.141	am	400.1200	re
728.141	am	400.1210	re
728.141	am	400.1220	re
728.141	am	400.1230	re
728.141	am	400.1240	re
728.141	am	400.1250	re
728.141	am	400.1260	re
728.141	am	400.1270	re
728.141	am	400.1280	re
728.141	am	400.1290	re
728.141	am	400.1300	re
728.141	am	400.1310	re
728.141	am	400.1320	re
728.141	am	400.1330	re
728.141	am	400.1340	re
728.141	am	400.1350	re
728.141	am	400.1360	re
728.141	am	400.1370	re
728.141	am	400.1380	re
728.141	am	400.1390	re
728.141	am	400.1400	re
728.141	am	400.1410	re
728.141	am	400.1420	re
728.141	am	400.1430	re
728.141	am	400.1440	re
728.141	am	400.1450	re
728.141	am	400.1460	re
728.141	am	400.1470	re
728.141	am	400.1480	re
728.141	am	400.1490	re
728.141	am	400.1500	re
728.141	am	400.1510	re
728.141	am	400.1520	re
728.141	am	400.1530	re
728.141	am	400.1540	re
728.141	am	400.1550	re
728.141	am	400.1560	re
728.141	am	400.1570	re
728.141	am	400.1580	re
728.141	am	400.1590	re
728.141	am	400.1600	re
728.141	am	400.1610	re
728.141	am	400.1620	re
728.141	am	400.1630	re
728.141	am	400.1640	re
728.141	am	400.1650	re
728.141	am	400.1660	re
728.141	am	400.1670	re
728.141	am	400.1680	re
728.141	am	400.1690	re
728.141	am	400.1700	re
728.141	am	400.1710	re
728.141	am	400.1720	re
728.141	am	400.1730	re
728.141	am	400.1740	re
728.141	am	400.1750	re
728.141	am	400.1760	re
728.141	am	400.1770	re
728.141	am	400.1780	re
728.141	am	400.1790	re
728.141	am	400.1800	re
728.141	am	400.1810	re
728.141	am	400.1820	re
728.141	am	400.1830	re
728.141	am	400.1840	re
728.141	am	400.1850	re
728.141	am	400.1860	re
728.141	am	400.1870	re
728.141	am	400.1880	re
728.141	am	400.1890	re
728.141	am	400.1900	re
728.141	am	400.1910	re
728.141	am	400.1920	re
728.141	am	400.1930	re
728.141	am	400.1940	re
728.141	am	400.1950	re
728.141	am	400.1960	re
728.141	am	400.1970	re
728.141	am	400.1980	re
728.141	am	400.1990	re
728.141	am	400.2000	re
728.141	am	400.2010	re
728.141	am	400.2020	re
728.141	am	400.2030	re
728.141	am	400.2040	re
728.141	am	400.2050	re
728.141	am	400.2060	re
728.141	am	400.2070	re
728.141	am	400.2080	re
728.141	am	400.2090	re
728.141	am	400.2100	re
728.141	am	400.2110	re
728.141	am	400.2120	re
728.141	am	400.2130	re
728.141	am	400.2140	re
728.141	am	400.2150	re
728.141	am	400.2160	re
728.141	am	400.2170	re
728.141	am	400.2180	re
728.141	am	400.2190	re
728.141	am	400.2200	re
728.141	am	400.2210	re
728.141	am	400.2220	re
728.141	am	400.2230	re
728.141	am	400.2240	re
728.141	am	400.2250	re
728.141	am	400.2260	re
728.141	am	400.2270	re
728.141	am	400.2280	re
728.141	am	400.2290	re
728.141	am	400.2300	re
728.141	am	400.2310	re
728.141	am	400.2320	re
728.141	am	400.2330	re
728.141	am	400.2340	re
728.141	am	400.2350	re
728.141	am	400.2360	re
728.141	am	400.2370	re
728.141	am	400.2380	re
728.141	am	400.2390	re
728.141	am	400.2400	re

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400.2410	re	(A-4464)	450.410	re	(A-4475)
400.2420	re	(A-4464)	450.420	re	(A-4475)
400.2500	re	(A-4464)	450.425	n	(P-17570/92; A-3513)
400.2510	re	(A-4464)	450.425	re	(A-4475)
400.2520	re	(A-4464)	450.430	re	(A-4475)
400.2530	re	(A-4464)	450.440	re	(A-4475)
400.2540	re	(A-4464)	450.450	re	(A-4475)
400.2550	re	(A-4464)	450.460	re	(A-4475)
400.2700	re	(A-4464)	450.470	re	(A-4475)
400.2710	re	(A-4464)	450.475	re	(A-4475)
450.110	re	(A-4475)	450.480	re	(A-4475)
450.115	re	(A-4475)	450.490	re	(A-4475)
450.120	re	(A-4475)	450.610	re	(A-4475)
450.125	re	(A-4475)	450.620	re	(A-4475)
450.130	re	(A-4475)	450.630	re	(A-4475)
450.135	n	(P-17570/92; A-3513)	450.640	re	(A-4475)
450.135	re	(A-4475)	450.650	re	(A-4475)
450.140	re	(A-4475)	450.660	re	(A-4475)
450.145	n	(P-17570/92; A-3513)	450.710	re	(A-4475)
450.145	re	(A-4475)	450.720	re	(A-4475)
450.150	re	(A-4475)	450.730	re	(A-4475)
450.160	n	(P-17570/92; A-3513)	450.740	re	(A-4475)
450.160	re	(A-4475)	450.750	re	(A-4475)
450.165	n	(P-17570/92; A-3513)	450.810	re	(A-4475)
450.165	re	(A-4475)	450.820	re	(A-4475)
450.170	re	(A-4475)	450.830	re	(A-4475)
450.175	am	(P-17570/92; A-3513)	450.840	re	(A-4475)
450.175	re	(A-4475)	450.850	re	(A-4475)
450.185	re	(A-4475)	450.860	re	(A-4475)
450.210	am	(P-17570/92; A-3513)	450.910	re	(A-4475)
450.210	re	(A-4475)	450.920	re	(A-4475)
450.220	am	(P-17570/92; A-3513)	450.930	re	(A-4475)
450.220	re	(A-4475)	450.940	am	(P-17570/92; A-3513)
450.230	re	(A-4475)	450.940	re	(A-4475)
450.240	re	(A-4475)	450.950	re	(A-4475)
450.250	re	(A-4475)	450.1010	re	(A-4475)
450.255	re	(A-4475)	450.1020	am	(P-17570/92; A-3513)
450.260	am	(P-17570/92; A-3513)	450.1020	re	(A-4475)
450.260	re	(A-4475)	450.1030	re	(A-4475)
450.270	re	(A-4475)	450.1110	re	(A-4475)
450.280	re	(A-4475)	450.1120	re	(A-4475)
450.290	re	(A-4475)	450.1130	re	(A-4475)
450.310	re	(A-4475)	450.1140	re	(A-4475)
450.320	re	(A-4475)	450.1150	re	(A-4475)
450.330	re	(A-4475)	450.1160	re	(A-4475)
450.340	re	(A-4475)	450.1170	re	(A-4475)
450.350	re	(A-4475)	450.1175	re	(A-4475)
450.410	am	(P-17570/92; A-3513)	450.1210	re	(A-4475)
			450.1220	re	(A-4475)

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450.1230	re	(A-4475)	1000.130	re	(A-4464)
450.1240	re	(A-4475)	1000.140	re	(A-4464)
450.1250	re	(A-4475)	1000.141	re	(A-4464)
450.1305	re	(A-4475)	1000.142	re	(A-4464)
450.1310	re	(A-4475)	1000.143	re	(A-4464)
450.1315	re	(A-4475)	1000.150	re	(A-4464)
450.1320	re	(A-4475)	1000.205	re	(A-4464)
450.1325	re	(A-4475)	1000.210	re	(A-4464)
450.1330	re	(A-4475)	1000.220	re	(A-4464)
450.1335	am	(P-17570/92; A-3513)	1000.230	re	(A-4464)
450.1335	re	(A-4475)	1000.240	re	(A-4464)
450.1340	re	(A-4475)	1000.250	re	(A-4464)
450.1345	re	(A-4475)	1000.260	re	(A-4464)
450.1350	re	(A-4475)	1000.270	re	(A-4464)
450.1355	re	(A-4475)	1000.280	re	(A-4464)
450.1360	re	(A-4475)	1000.290	re	(A-4464)
450.1410	re	(A-4475)	1000.310	re	(A-4464)
450.1420	re	(A-4475)	1000.410	re	(A-4464)
450.1510	re	(A-4475)	1000.420	re	(A-4464)
450.1520	re	(A-4475)	1000.430	re	(A-4464)
450.1530	re	(A-4475)	1000.440	re	(A-4464)
450.1540	re	(A-4475)	1000.510	re	(A-4464)
450.1550	re	(A-4475)	1000.610	re	(A-4464)
450.1560	re	(A-4475)	1000.615	re	(A-4464)
450.1570	re	(A-4475)	1000.620	re	(A-4464)
450.1580	re	(A-4475)	1000.630	re	(A-4464)
450.1590	re	(A-4475)	1000.640	re	(A-4464)
450.1595	re	(A-4475)	1000.650	re	(A-4464)
450.1600	re	(A-4475)	1000.660	re	(A-4464)
450.1610	re	(A-4475)	1000.665	re	(A-4464)
450.1620	re	(A-4475)	1000.670	re	(A-4464)
450.1630	re	(A-4475)	1000.675	re	(A-4464)
450.1640	re	(A-4475)	1000.680	re	(A-4464)
450.1650	re	(A-4475)	1000.690	re	(A-4464)
450.1660	re	(A-4475)	1000.700	re	(A-4464)
450.1670	re	(A-4475)	1000.710	re	(A-4464)
450.1680	re	(A-4475)	1000.720	re	(A-4464)
450.1690	re	(A-4475)	1000.810	re	(A-4464)
450.1700	re	(A-4475)	1000.910	re	(A-4464)
450.1720	re	(A-4475)	1000.1010	re	(A-4464)
450.1730	re	(A-4475)	1000.1020	re	(A-4464)
450.1740	re	(A-4475)	1000.1030	re	(A-4464)
450.1750	re	(A-4475)	1000.1040	re	(A-4464)
450.1760	re	(A-4475)	1000.1050	re	(A-4464)
450.1770	re	(A-4475)	1000.1060	re	(A-4464)
450.1790	re	(A-4475)	1000.1070	re	(A-4464)
1000.110	re	(A-4464)	1000.1080	re	(A-4464)
1000.120	re	(A-4464)	1000.1090	re	(A-4464)
			1000.1110	re	(A-4464)

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TITLE 38 (CONT'D)				TITLE 38 (CONT'D)			
1000.1120	re	(A-4464)	1000.1760	re	(A-4464)	1000.620	re
1000.1130	re	(A-4464)	1000.1770	re	(A-4464)	1000.630	re
1000.1140	re	(A-4464)	1000.1780	re	(A-4464)	1000.640	re
1000.1150	re	(A-4464)	1000.1790	re	(A-4464)	1000.650	re
1000.1160	re	(A-4464)	1000.1800	re	(A-4464)	1000.660	re
1000.1170	re	(A-4464)	1000.1810	re	(A-4464)	1000.710	re
1000.1180	re	(A-4464)	1000.1905	re	(A-4464)	1000.720	re
1000.1190	re	(A-4464)	1000.1910	re	(A-4464)	1000.730	re
1000.1200	re	(A-4464)	1000.1915	re	(A-4464)	1000.740	re
1000.1210	re	(A-4464)	1000.1920	re	(A-4464)	1000.750	re
1000.1220	re	(A-4464)	1000.1925	re	(A-4464)	1000.810	re
1000.1310	re	(A-4464)	1000.1930	re	(A-4464)	1000.820	re
1000.1320	re	(A-4464)	1000.1935	re	(A-4464)	1000.830	re
1000.1330	re	(A-4464)	1000.1940	re	(A-4464)	1000.840	re
1000.1340	re	(A-4464)	1000.1945	re	(A-4464)	1000.850	re
1000.1410	re	(A-4464)	1000.1950	re	(A-4464)	1000.860	re
1000.1420	re	(A-4464)	1000.1955	re	(A-4464)	1000.910	re
1000.1430	re	(A-4464)	1000.1970	re	(A-4464)	1000.920	re
1000.1440	re	(A-4464)	1000.1972	re	(A-4464)	1000.930	re
1000.1450	re	(A-4464)	1000.1975	re	(A-4464)	1000.940	re
1000.1460	re	(A-4464)	1000.1980	re	(A-4464)	1000.950	re
1000.1470	re	(A-4464)	1000.1982	re	(A-4464)	1000.1010	re
1000.1480	re	(A-4464)	1000.1985	re	(A-4464)	1000.1020	re
1000.1510	re	(A-4464)	1000.1990	re	(A-4464)	1000.1030	re
1000.1520	re	(A-4464)	1000.1993	re	(A-4464)	1000.1110	re
1000.1530	re	(A-4464)	1000.1997	re	(A-4464)	1000.1120	re
1000.1540	re	(A-4464)	1000.2005	re	(A-4464)	1000.1130	re
1000.1550	re	(A-4464)	1000.2010	re	(A-4464)	1000.1140	re
1000.1560	re	(A-4464)	1000.2020	re	(A-4464)	1000.1150	re
1000.1570	re	(A-4464)	1000.2030	re	(A-4464)	1000.1160	re
1000.1580	re	(A-4464)	1000.2040	re	(A-4464)	1000.1170	re
1000.1590	re	(A-4464)	1000.2050	re	(A-4464)	1000.1175	re
1000.1600	re	(A-4464)	1000.2055	re	(A-4464)	1000.1210	re
1000.1610	re	(A-4464)	1000.2060	re	(A-4464)	1000.1220	re
1000.1620	re	(A-4464)	1000.2070	re	(A-4464)	1000.1230	re
1000.1630	re	(A-4464)	1000.2105	re	(A-4464)	1000.1240	re
1000.1640	re	(A-4464)	1000.2110	re	(A-4464)	1000.1250	re
1000.1650	re	(A-4464)	1000.2120	re	(A-4464)	1000.1305	re
1000.1660	re	(A-4464)	1000.2200	re	(A-4464)	1000.1310	re
1000.1670	re	(A-4464)	1000.2300	re	(A-4464)	1000.1315	re
1000.1680	re	(A-4464)	1000.2310	re	(A-4464)	1000.1320	re
1000.1690	re	(A-4464)	1000.2320	re	(A-4464)	1000.1325	re
1000.1700	re	(A-4464)	1000.2330	re	(A-4464)	1000.1330	re
1000.1710	re	(A-4464)	1000.2340	re	(A-4464)	1000.1335	re
1000.1720	re	(A-4464)	1000.2400	re	(A-4464)	1000.1340	re
1000.1730	re	(A-4464)	1000.2410	re	(A-4464)	1000.1345	re
1000.1740	re	(A-4464)	1000.2420	re	(A-4464)	1000.1350	re
1000.1750	re	(A-4464)	1000.2500	re	(A-4464)	1000.1355	re
						1000.1360	re

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1050.1410	re	(A-4475)	1075.1870	n	(P-2727)
1050.1420	re	(A-4475)	1075.1875	n	(P-2727)
1050.1510	re	(A-4475)	1075.1880	n	(P-2727)
1050.1520	re	(A-4475)	1075.1885	n	(P-2727)
1050.1530	re	(A-4475)	1075.1890	n	(P-2727)
1050.1540	re	(A-4475)	1075.1895	n	(P-2727)
1050.1550	re	(A-4475)	1075.1900	n	(P-2727)
1050.1560	re	(A-4475)	1075.1905	n	(P-2727)
1050.1570	re	(A-4475)	1075.1910	n	(P-2727)
1050.1580	re	(A-4475)	1075.1915	n	(P-2727)
1050.1590	re	(A-4475)	1075.1920	n	(P-2727)
1050.1595	re	(A-4475)	1075.1925	n	(P-2727)
1050.1600	re	(A-4475)	1075.1930	n	(P-2727)
1050.1610	re	(A-4475)	1075.1935	n	(P-2727)
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1050.1650	re	(A-4475)	1075.1955	n	(P-2727)
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1050.1670	re	(A-4475)	1075.1965	n	(P-2727)
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1050.1770	re	(A-4475)	1075.2005	n	(P-2727)
1050.1790	re	(A-4475)	1075.2010	n	(P-2727)
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1075.1700	n	(P-2727)	1075.2025	n	(P-2727)
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1075.1800	n	(P-2727)	1075.2035	n	(P-2727)
1075.1805	n	(P-2727)	1075.2040	n	(P-2727)
1075.1810	n	(P-2727)	1075.2045	n	(P-2727)
1075.1815	n	(P-2727)	1075.2050	n	(P-2727)
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1075.2125	n	(P-2727)	1.515	n	(P-12808/92; A-600)
1075.2130	n	(P-2727)	1.530	am	(P-12808/92; A-600)
1075.2135	n	(P-2727)	1.610	am	(P-12808/92; A-600)
1075.2140	n	(P-2727)	1.620	am	(P-12808/92; A-600)
1075.2145	n	(P-2727)	1.630	am	(P-12808/92; A-600)
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1075.2155	n	(P-2727)	610.100	n	(P-1697)
1075.2160	n	(P-2727)	610.110	n	(P-1697)
1075.2165	n	(P-2727)	610.120	n	(P-1697)
1075.2170	n	(P-2727)	610.200	n	(P-1697)
1075.2200	n	(P-2727)	610.210	n	(P-1697)
1075.2210	n	(P-2727)	610.220	n	(P-1697)
1075.2220	n	(P-2727)	610.230	n	(P-1697)
1075.2230	n	(P-2727)	610.240	n	(P-1697)
1075.2240	n	(P-2727)	610.250	n	(P-1697)
1075.2300	n	(P-2727)	610.260	n	(P-1697)
1075.2310	n	(P-2727)	610.270	n	(P-1697)
1075.2320	n	(P-2727)	610.280	n	(P-1697)
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1075.2340	n	(P-2727)	610.310	n	(P-1697)
1075.2350	n	(P-2727)	610.320	n	(P-1697)
1075.2360	n	(P-2727)	610.330	n	(P-1697)
1075.2370	n	(P-2727)	610.340	n	(P-1697)
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1075.2450	n	(P-2727)	5000.950	n	(P-11378/92; A-1006)
1075.2460	n	(P-2727)	5000.960	n	(P-11378/92; A-1006)
1075.2500	n	(P-2727)	5000.970	n	(P-11378/92; A-1006)
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			.II.D	am	(P-16707/92; A-3836)
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125.40	n	(P-18879/92; A-6180)	370.302	n	(P-11713/92; A-319)
125.50	n	(P-18879/92; A-6180)	370.303	n	(P-11713/92; A-319)
125.60	n	(P-18879/92; A-6180)	370.304	n	(P-11713/92; A-319)
125.70	n	(P-18879/92; A-6180)	370.305	n	(P-11713/92; A-319)
125.80	n	(P-18879/92; A-6180)	370.401	n	(P-11713/92; A-319)
125.90	n	(P-18879/92; A-6180)	370.402	n	(P-11713/92; A-319)
125.100	n	(P-18879/92; A-6180)	370.501	n	(P-11713/92; A-319)
125.110	n	(P-18879/92; A-6180)	370.502	n	(P-11713/92; A-319)
125.120	n	(P-18879/92; A-6180)	370.503	n	(P-11713/92; A-319)
125.130	n	(P-18879/92; A-6180)	370.504	n	(P-11713/92; A-319)
125.140	n	(P-18879/92; A-6180)	370.505	n	(P-11713/92; A-319)
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130.20	r	(P-1)	370.507	n	(P-11713/92; A-319)
130.30	r	(P-1)	370.601	n	(P-11713/92; A-319)
130.40	r	(P-1)	370.602	n	(P-11713/92; A-319)
130.50	r	(P-1)	370.603	n	(P-11713/92; A-319)
130.60	r	(P-1)	370.604	n	(P-11713/92; A-319)
130.70	r	(P-1)	370.605	n	(P-11713/92; A-319)
130.80	r	(P-1)	370.701	n	(P-11713/92; A-319)
130.90	r	(P-1)	370.702	n	(P-11713/92; A-319)
130.100	r	(P-1)	370.703	n	(P-11713/92; A-319)
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370.103	n	(P-11713/92; A-319)	370.707	n	(P-11713/92; A-319)
370.104	n	(P-11713/92; A-319)	370.801	n	(P-11713/92; A-319)
370.105	n	(P-11713/92; A-319)	370.802	n	(P-11713/92; A-319)
370.106	n	(P-11713/92; A-319)	370.901	n	(P-11713/92; A-319)
370.107	n	(P-11713/92; A-319)	370.902	n	(P-11713/92; A-319)
370.108	n	(P-11713/92; A-319)	370.903	n	(P-11713/92; A-319)
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370.111	n	(P-11713/92; A-319)	370.1002	n	(P-4530)
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370.113	n	(P-11713/92; A-319)	370.1004	n	(P-4530)
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370.202	n	(P-11713/92; A-319)	370.1006	n	(P-4530)
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700.250	n	(P-4530)	939.11.A	am	(P-4768)
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			1408.70	n	(P-8735/92; A-4195)
			1408.80	n	(P-8735/92; A-4195)
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1220.160	am	(P-15762/92; A-1559)			
1220.170	n	(P-15762/92; A-1559)	500.10	n	(P-3917)
1220.260	am	(P-15762/92; A-1559)	500.20	n	(P-3917)
1220.270	n	(P-15762/92; A-1559)	500.30	n	(P-3917)
1220.360	n	(P-15762/92; A-1559)	500.40	n	(P-3917)
1220.435	r	(P-15762/92; A-1559)	500.50	n	(P-3917)
1220.440	n	(P-15762/92; A-1559)	500.60	n	(P-3917)
1220.525	n	(P-15762/92; A-1559)	500.70	n	(P-3917)
1220.Ap.B	am	(P-1708)	500.80	n	(P-3917)
1220.Ap.C	am	(P-1708)			
1240.5	r	(P-15775/92; A-1579)			
1240.10	am	(P-15775/92; A-1579)	730.10	n	(P-1671; O-3057)
1240.15	am	(P-15775/92; A-1579)	730.10	r	(P-3831)
1240.50	am	(P-15775/92; A-1579)	730.20	n	(P-3831)
1240.51	am	(P-15775/92; A-1579)	730.30	n	(P-3831)
1300.48	am	(P-16484/92; A-1572)	730.40	n	(P-3831)
1320.30	am	(P-6729)	740.5	n	(P-585; A-6663)
1320.40	am	(P-6729)	740.10	am	(P-585; A-6663)
1320.50	am	(P-6729)	740.20	am	(P-585; A-6663)
1320.70	am	(P-6729)	740.30	n	(P-585; A-6663)
1320.80	am	(P-6729)	750.10	r	(P-762)
1320.100	am	(P-6729)	750.10	n	(P-777)
1430.3010	am	(P-4141)	750.20	r	(P-762)
1430.3020	am	(P-4141)	750.20	n	(P-777)
1430.5030	am	(P-4141)	750.30	r	(P-762)
1430.5050	am	(P-4141)	750.30	n	(P-777)
1455.10	n	(P-15785/92; A-1589)	750.40	r	(P-762)
1455.15	n	(P-15785/92; A-1589)	750.40	n	(P-777)
1455.20	n	(P-15785/92; A-1589)	750.41	r	(P-762)
1455.30	n	(P-15785/92; A-1589)	750.50	r	(P-762)
1455.30	am	(P-6612) (E-6668)	750.50	n	(P-777)
1455.40	n	(P-15785/92; A-1589)	750.60	n	(P-762)
1455.50	n	(P-15785/92; A-1589)	750.60	n	(P-777)
1455.60	n	(P-15785/92; A-1589)	750.70	r	(P-762)
1455.70	n	(P-15785/92; A-1589)	750.70	n	(P-777)
1455.200	n	(P-15785/92; A-1589)	750.80	n	(P-762)
1455.210	n	(P-15785/92; A-1589)	750.90	n	(P-777)
1455.300	n	(P-15785/92; A-1589)	750.90	n	(P-777)
1455.310	n	(P-15785/92; A-1589)	750.100	r	(P-762)
1465.10	r	(P-890)	750.100	n	(P-777)
1465.30	am	(P-890)	750.110	n	(P-762)
1465.35	n	(P-890)	750.110	n	(P-777)
1465.36	n	(P-890)	750.120	r	(P-762)
1465.80	n	(P-890)	750.120	n	(P-777)
1465.90	am	(P-890)			

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750.130	n	(P-777)	350.685	am	(P-1269)
750.140	r	(P-762)	350.3210	am	(P-1269)
750.140	n	(P-777)	350.3330	am	(P-1269)
750.140	n	(P-777)	350.3730	am	(P-4791/92; A-2351)
750.150	n	(P-777)	350.Ap.A	r	(P-1269)
750.Ap.A	r	(P-762)	390.175	am	(P-1269)
750.Ap.A	n	(P-777)	390.180	am	(P-1269)
750.Ap.B	r	(P-762)	390.260	am	(E-2390)
750.Ap.B	n	(P-777)	390.270	am	(P-1269)
750.Ap.C	r	(P-762)	390.271	n	(E-2390)
750.Ap.C	n	(P-777)	390.278	am	(E-2390)
750.Ap.D	n	(P-777)	390.290	am	(E-2390)
			390.640	am	(P-1269)
			390.680	am	(P-1269)
			390.685	am	(P-1269)
			390.3210	am	(P-1269)
			390.3330	am	(P-1269)
			395.100	am	(P-8066/92; A-2984)
			395.110	am	(P-8066/92; A-2984)
			395.120	am	(P-8066/92; A-2984)
			395.130	am	(P-8066/92; A-2984)
			395.140	am	(P-8066/92; A-2984)
			395.150	am	(P-8066/92; A-2984)
			395.160	am	(P-8066/92; A-2984)
			395.170	am	(P-8066/92; A-2984)
			395.175	n	(P-8066/92; A-2984)
			395.180	am	(P-8066/92; A-2984)
			395.190	am	(P-8066/92; A-2984)
			395.200	r	(P-8066/92; A-2984)
			395.300	am	(P-8066/92; A-2984)
			630.20	am	(P-8103/92; A-3013)
			630.90	am	(P-8103/92; A-3013)
			630.200	am	(P-8103/92; A-3013)
			630.220	am	(P-3069)
			661.70	am	(P-757)
			665.100	am	(P-2697)
			665.110	r	(P-2697)
			665.120	am	(P-2697)
			665.140	am	(P-2697)
			665.150	am	(P-2697)
			665.210	am	(P-2697)
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			665.230	am	(P-2697)
			665.240	am	(P-2697)
			665.280	am	(P-2697)
			665.310	am	(P-2697)
			665.420	am	(P-2697)

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245.40	am	(P-747)			
250.2720	n	(P-2016/92; A-1614)			
300.175	am	(P-1346)			
300.180	am	(P-1346)			
300.260	am	(E-2420) (P-6074)			
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350.260	am	(E-2373) (P-6028)			
350.270	am	(P-1269)			
350.271	n	(E-2373) (P-6028)			
350.278	am	(E-2373) (P-6028)			
350.290	am	(E-2373) (P-6028)			
350.640	am	(P-1269)			

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665.510 am	(P-2697)	840.215 am	(P-4329/92; A-2319)	
665.610 am	(P-2697)	840.305 am	(P-4329/92; A-2319)	
665.620 am	(P-2697)	840.310 am	(P-4329/92; A-2319)	
665.630 am	(P-2697)	840.Ap.B		
665.640 am	(P-2697)	.Ex.A	(P-4329/92; A-2319)	
665.640 am	(P-2697)	.II.A	(P-4329/92; A-2319)	
665.Ap.B r	(P-2697)	.Ex.B	(P-4329/92; A-2319)	
693.15 am	(E-1213) (P-2711)	.II.B	(P-4329/92; A-2319)	
693.20 am	(E-1213) (P-2711)	840.Ap.C		
694.20 am	(P-13414/92; A-2306)	.Ex.B	(P-4329/92; A-2319)	
694.100 am	(P-13414/92; A-2306)	845.10 am	(P-12314/92; A-1884)	
694.110 am	(P-13414/92; A-2306)	845.15	(P-12314/92; A-1884)	
694.120 am	(P-13414/92; A-2306)	845.20 am	(P-12314/92; A-1884)	
694.Ap.A r	(P-13414/92; A-2306)	845.23	(P-12314/92; A-1884)	
694.Ap.B r	(P-13414/92; A-2306)	845.25	(P-12314/92; A-1884)	
695.10 am	(P-13472/92; A-2975)	845.26	(P-12314/92; A-1884)	
695.30 am	(P-13472/92; A-2975)	845.28	(P-12314/92; A-1884)	
695.40 am	(P-13472/92; A-2975)	845.29	(P-12314/92; A-1884)	
695.50 n	(P-13472/92; A-2975)	845.30	(P-12314/92; O-1243)	
695.Ap.A n	(P-13472/92; A-2975)		M-2073; A-1884)	
697.20 am	(E-1204) (P-2687)	845.40	(P-12314/92; A-1884)	
697.30 am	(E-1204) (P-2687)	845.50	(P-12314/92; A-1884)	
750.540 am	(P-723)	845.60	(P-12314/92; A-1884)	
750.1810 am	(P-723)	845.Ap.A	(P-12314/92; A-1884)	
750.1820 am	(P-723)	845.Ex.A	(P-12314/92; A-1884)	
750.1830 am	(P-723)	845.Ex.B	(P-12314/92; A-1884)	
750.1855 n	(P-723)	845.Ex.C	(P-12314/92; A-1884)	
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750.Ap.B am	(P-723)	845.Ap.C	(P-12314/92; A-1884)	
750.Ap.C am	(P-723)	845.II.A	(P-12314/92; A-1884)	
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775.10 am	(P-906)	845.II.A	(P-12314/92; A-1884)	
775.20 am	(P-906)	845.Ap.E	(P-12314/92; A-1884)	
775.70 am	(P-906)	900.10 am	(P-10870/92; A-4388)	
775.110 am	(P-906)	900.30	(P-10870/92; A-4388)	
775.140 am	(P-906)	900.40	(P-10870/92; A-4388)	
775.150 n	(P-906)	900.50	(P-10870/92; A-4388)	
785.110 am	(P-920)	900.60	(P-10870/92; A-4388)	
785.120 am	(P-920)	900.65	(P-10870/92; A-4388)	
785.200 am	(P-920)	900.70	(P-10870/92; A-4388)	
785.290 am	(P-920)	900.Tb.E	(P-10870/92; A-4388)	
785.300 am	(P-920)	900.Tb.F	(P-10870/92; A-4388)	
785.355 n	(P-920)	900.Tb.G	(P-10870/92; A-4388)	
785.578 n	(P-920)	900.Tb.H	(P-10870/92; A-4388)	
785.1210 n	(P-920)	900.Tb.I	(P-10870/92; A-4388)	
785.1220 n	(P-920)	Ex.A	(P-10870/92; A-4388)	
840.20 am	(P-4329/92; A-2319)	Ex.B	(P-10870/92; A-4388)	
840.115 am	(P-4329/92; A-2319)	Ex.C	(P-10870/92; A-4388)	

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915.20	am	1230.420	r	(P-5187/92; A-5878)
915.40	n	1230.1b.A	r	(P-5187/92; A-5878)
915.50	n	1230.1b.B	r	(P-5187/92; A-5878)
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1110.235	n	1235.20	n	(E-432; O-3056) (P-683)
1120.10	n	1235.30	n	(E-432; O-3056) (P-683)
1120.20	n	1235.40	n	(E-432; O-3056) (P-683)
1120.110	n	1235.50	n	(E-432; O-3056) (P-683)
1120.120	n	1235.100	n	(E-432; O-3056) (P-683)
1120.130	n	1235.200	n	(E-432; O-3056) (P-683)
1120.210	n	1235.210	n	(E-432; O-3056) (P-683)
1120.310	n	1235.220	n	(E-432; O-3056) (P-683)
1120.310	n	1235.230	n	(E-432; O-3056) (P-683)
1120.310	n	1235.240	n	(E-432; O-3056) (P-683)
1120.310	n	1235.300	n	(E-432; O-3056) (P-683)
1120.310	n	1235.310	n	(E-432; O-3056) (P-683)
1120.Ap.A	n	1240.10	r	(P-5225/92; A-5880)
1130.140	am	1240.20	r	(P-5225/92; A-5880)
1130.220	am	1240.30	r	(P-5225/92; A-5880)
1130.410	am	1240.40	r	(P-5225/92; A-5880)
1130.510	am	1240.50	r	(P-5225/92; A-5880)
1130.620	am	1240.60	r	(P-5225/92; A-5880)
1130.620	am	1240.70	r	(P-5225/92; A-5880)
1130.630	am	1240.Ap.A	r	(P-5225/92; A-5880)
1130.640	am	2510.60	am	(P-1695) (E-2031)
1130.710	am	2510.70	am	(P-1695) (E-2031)
1130.720	am	2510.90	n	(P-1695) (E-2031)
1130.730	am	TITLE 80		
1130.740	am	150.210	am	(E-17372/92; RC-181; F-5952)
1130.750	am	302.180	am	(P-17187/92; A-3169)
1130.760	am	302.610	am	(P-17187/92; A-3169)
1130.770	am	303.112	n	(P-19285/92; A-5587)
1130.780	am	310.30	am	(P-18139/92; A-6441)
1130.Ap.A	am	310.40	am	(P-18139/92; A-6441)
1230.10	r	310.110	am	(P-13679/92; A-238)
1230.20	r	310.130	am	(P-13679/92; A-238)
1230.30	r	310.230	am	(P-18139/92; A-6441)
1230.110	r	310.270	am	(P-18139/92; A-6441)
1230.120	r	310.290	am	(P-191; C-672)
1230.210	r	310.290	am	(P-14001/92; A-1819)
1230.220	r	310.450	am	(P-14001/92; A-1819)
1230.230	r	310.455	am	(P-14001/92; A-1819)
1230.240	r	310.470	am	(P-14001/92; A-1819)
1230.250	r	310.530	am	(P-14001/92; A-1819)
1230.260	r	310.540	am	(P-14001/92; A-1819)
1230.310	r	310.540	am	(P-14001/92; A-1819)

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2160.510	am	(P-3577)	755.Ex.M	n	(P-16709/92; A-5594)
2160.610	am	(P-3577)	755.Ex.N	n	(P-16709/92; A-5594)
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2650.1	am	(P-2449)	TITLE 86		
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2650.15	am	(P-2449)	100.3400	am	(P-222) (E-473)
2650.25	am	(P-2449)	100.3700	am	(P-6619)
2650.30	am	(P-2449)	100.7010	am	(P-222) (E-473)
2650.40	n	(P-2449)	105.100	n	(P-219) (E-445)
2650.50	n	(P-2449)	105.110	n	(P-219) (E-445)
2650.60	n	(P-2449)	105.120	n	(P-219) (E-445)
2650.70	n	(P-2449)	105.200	n	(P-219) (E-445)
			105.210	n	(P-219) (E-445)
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			105.310	n	(P-219) (E-445)
			105.320	n	(P-219) (E-445)
			105.330	n	(P-219) (E-445)
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			105.520	n	(P-219) (E-445)
			105.600	n	(P-219) (E-445)
			105.700	n	(P-219) (E-445)
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			105.1010	n	(P-219) (E-445)
			110.115	am	(P-2507)
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			150.Tb.A	am	(P-14563/92; A-1947)
			210.101	am	(E-665) (P-2718)
			210.105	am	(P-2718)
			210.110	am	(P-2718)
			210.115	am	(P-2718; C-3545)

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210.125	am	(E-665) (P-2718)	113.410 am	(P-14533/92; A-3202)	121.176 n	147. Tb.E	am
210.126	n	(E-665) (P-2718)	113.425 am	(P-17047/92; A-4322)	121.178 n	147. Tb.F	am
210.130	am	(P-2718)	113.430 am	(P-17047/92; A-4322)	121.178 n	147. Tb.G	r
530.115	am	(P-3104)	113.450 n	(P-17457/92; A-6804)	121.180 n	148.25	n
530.125	am	(P-3104)	114.9	(P-13395/92; A-1091)	121.182 n	148.30	am
535.101	n	(P-15340/92; A-3042)	114.120 am	(P-15810/92; A-3255)	121.184 n	148.40	am
535.105	n	(P-15340/92; A-3042)	114.121 r	(P-15810/92; A-3255)	121.186 n	148.50	am
535.110	n	(P-15340/92; A-3042)	114.124 r	(P-15810/92; A-3255)	121.188 n	148.60	am
535.115	n	(P-15340/92; A-3042)	114.125 r	(P-15810/92; A-3255)	121.190 n	148.70	am
535.120	n	(P-15340/92; A-3042)	114.126 r	(P-15810/92; A-3255)	140.12	148.80	am
535.125	n	(P-15340/92; A-3042)	114.127 r	(P-15810/92; A-3255)	140.19	148.82	n
535.130	n	(P-15340/92; A-3042)	114.128 r	(P-15810/92; A-3255)	140.82		
535.135	n	(P-15340/92; A-3042)	114.129 r	(P-15810/92; A-3255)	140.82		
535.140	n	(P-15340/92; A-3042)	114.130 r	(P-15810/92; A-3255)	140.84		
535.145	n	(P-15340/92; A-3042)	114.135 r	(P-15810/92; A-3255)	140.94		
			114.223 am	(P-19654/92; A-6814)	140.95		
			114.252 am	(P-18226/92; A-6814)	140.485		
			114.270 r	(P-15008/92; A-2277)	140.488		
			114.406 n	(P-17459/92; A-6814)	140.492		
103.25	n	(P-14178/92; A-655)	114.402 am	(P-15008/92; A-2277)	140.511		
103.35	n	(P-14178/92; A-655)	114.420 am	(P-15008/92; A-2277)	140.525		
104.216	am	(P-540) (E-659)	114.430 am	(P-15287/92; A-2277)	140.538		
110.30	am	(P-13207/92; A-640)	114.440 n	(P-14538/92; A-3639)	140.539		
111.101	am	(P-16491/92; A-3213)	116.400 am	(P-13764/92; A-1078)	140.579		
112.9	am	(P-13381/92; A-813)	116.500 am	(P-13764/92; A-1078)			
112.70	am	(P-3335/92; A-357)	116.520 r	(P-13764/92; A-1078)			
112.71	am	(P-3335/92; A-357)	117.15 n	(P-2126) (E-2368)			
112.72	am	(P-3335/92; A-357)	120.61	(P-2114)	140.642		
112.74	am	(P-3335/92; A-357)	120.70 am	(P-711; A-6827)	140.700		
112.78	am	(P-5436)	120.73 n	(P-711; A-6827)	140. Tb.K		
			120.75 n	(P-711; A-6827)	144.5		
112.79	am	(P-3335/92; A-357)	120.385 r	(P-14544/92; A-1102)	144.25		
112.82	am	(P-3335/92; A-357)	121.3	(P-13385/92; A-644)	144.50		
112.127	am	(P-19642/92; A-6792)	121.23 r	(P-15813/92; A-4333)	144.75		
112.145	am	(P-5436)	121.24 r	(P-15813/92; A-4333)	144.125		
112.151	am	(P-5436)	121.25 r	(P-15813/92; A-4333)	144.150		
112.153	am	(P-18216/92; A-4312)	121.26 r	(P-15813/92; A-4333)	144.175		
112.154	r	(P-14522/92; A-813)	121.27 r	(P-15813/92; A-4333)	144.205		
112.250	am	(P-46)	121.28 r	(P-15813/92; A-4333)	144.230		
112.252	am	(P-46)	121.29 r	(P-15813/92; A-4333)	144.250		
112.253	am	(P-46)	121.41 am	(P-13385/92; A-644)	147.5		
112.254	am	(P-46)	121.59 am	(P-13385/92; A-644)	147.25		
112.330	am	(P-15277/92; A-2253)	121.76 n	(P-13385/92; A-644)	147.50		
112.370	n	(P-6026) (E-6325)	121.160 n	(P-15813/92; A-4333)	147.150		
113.9	n	(P-13383/92; A-827)	121.162 n	(P-15813/92; A-4333)	147.150		
113.154	r	(P-14999/92; A-2263)	121.164 n	(P-15813/92; A-4333)	147.205		
113.253	am	(P-702; A-6804)	121.166 n	(P-15813/92; A-4333)	147. Tb.A		
113.260	am	(P-702; A-6804)	121.170 n	(P-15813/92; A-4333)	147. Tb.B		
113.309	n	(P-17457/92; A-6804)	121.172 n	(P-15813/92; A-4333)	147. Tb.C		

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210.125	am	(E-665) (P-2718)	113.410 am	(P-14533/92; A-3202)	121.176 n	147. Tb.E	am
210.126	n	(E-665) (P-2718)	113.425 am	(P-17047/92; A-4322)	121.178 n	147. Tb.F	am
210.130	am	(P-2718)	113.430 am	(P-17047/92; A-4322)	121.178 n	147. Tb.G	r
530.115	am	(P-3104)	113.450 n	(P-17457/92; A-6804)	121.180 n	148.25	n
530.125	am	(P-3104)	114.9	(P-13395/92; A-1091)	121.182 n	148.30	am
535.101	n	(P-15340/92; A-3042)	114.120 am	(P-15810/92; A-3255)	121.184 n	148.40	am
535.105	n	(P-15340/92; A-3042)	114.121 r	(P-15810/92; A-3255)	121.186 n	148.50	am
535.110	n	(P-15340/92; A-3042)	114.124 r	(P-15810/92; A-3255)	121.188 n	148.60	am
535.115	n	(P-15340/92; A-3042)	114.125 r	(P-15810/92; A-3255)	121.190 n	148.70	am
535.120	n	(P-15340/92; A-3042)	114.126 r	(P-15810/92; A-3255)	140.12	148.80	am
535.125	n	(P-15340/92; A-3042)	114.127 r	(P-15810/92; A-3255)	140.19	148.82	n
535.130	n	(P-15340/92; A-3042)	114.128 r	(P-15810/92; A-3255)	140.82		
535.135	n	(P-15340/92; A-3042)	114.129 r	(P-15810/92; A-3255)	140.82		
535.140	n	(P-15340/92; A-3042)	114.130 r	(P-15810/92; A-3255)	140.84		
535.145	n	(P-15340/92; A-3042)	114.135 r	(P-15810/92; A-3255)	140.94		
			114.223 am	(P-19654/92; A-6814)	140.95		
			114.252 am	(P-18226/92; A-6814)	140.485		
			114.270 r	(P-15008/92; A-2277)	140.488		
			114.406 n	(P-17459/92; A-6814)	140.492		
103.25	n	(P-14178/92; A-655)	114.402 am	(P-15008/92; A-2277)	140.511		
103.35	n	(P-14178/92; A-655)	114.420 am	(P-15008/92; A-2277)	140.525		
104.216	am	(P-540) (E-659)	114.430 am	(P-15287/92; A-2277)	140.538		
110.30	am	(P-13207/92; A-640)	114.440 n	(P-14538/92; A-3639)	140.539		
111.101	am	(P-16491/92; A-3213)	116.400 am	(P-13764/92; A-1078)	140.579		
112.9	am	(P-13381/92; A-813)	116.500 am	(P-13764/92; A-1078)			
112.70	am	(P-3335/92; A-357)	116.520 r	(P-13764/92; A-1078)			
112.71	am	(P-3335/92; A-357)	117.15 n	(P-2126) (E-2368)			
112.72	am	(P-3335/92; A-357)	120.61	(P-2114)	140.642		
112.74	am	(P-3335/92; A-357)	120.70 am	(P-711; A-6827)	140.700		
112.78	am	(P-5436)	120.73 n	(P-711; A-6827)	140. Tb.K		
			120.75 n	(P-711; A-6827)	144.5		
112.79	am	(P-3335/92; A-357)	120.385 r	(P-14544/92; A-1102)	144.25		
112.82	am	(P-3335/92; A-357)	121.3	(P-13385/92; A-644)	144.50		
112.127	am	(P-19642/92; A-6792)	121.23 r	(P-15813/92; A-4333)	144.75		
112.145	am	(P-5436)	121.24 r	(P-15813/92; A-4333)	144.125		
112.151	am	(P-5436)	121.25 r	(P-15813/92; A-4333)	144.150		
112.153	am	(P-18216/92; A-4312)	121.26 r	(P-15813/92; A-4333)	144.175		
112.154	r	(P-14522/92; A-813)	121.27 r	(P-15813/92; A-4333)	144.205		
112.250	am	(P-46)	121.28 r	(P-15813/92; A-4333)	144.230		
112.252	am	(P-46)	121.29 r	(P-15813/92; A-4333)	144.250		
112.253	am	(P-46)	121.41 am	(P-13385/92; A-644)	147.5		
112.254	am	(P-46)	121.59 am	(P-13385/92; A-644)	147.25		
112.330	am	(P-15277/92; A-2253)	121.76 n	(P-13385/92; A-644)	147.50		
112.370	n	(P-6026) (E-6325)	121.160 n	(P-15813/92; A-4333)	147.150		
113.9	n	(P-13383/92; A-827)	121.162 n	(P-15813/92; A-4333)	147.150		
113.154	r	(P-14999/92; A-2263)	121.164 n	(P-15813/92; A-4333)	147.205		
113.253	am	(P-702; A-6804)	121.166 n	(P-15813/92; A-4333)	147. Tb.A		
113.260	am	(P-702; A-6804)	121.170 n	(P-15813/92; A-4333)	147. Tb.B		
113.309	n	(P-17457/92; A-6804)	121.172 n	(P-15813/92; A-4333)	147. Tb.C		

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220.635	am	(P-883) (E-1179)	335.208	n (P-6681)
240.729	n	(P-12251/92; A-224)	336.10	n (P-7963/92; A-1026)
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240.1520	am	(P-15203/92; A-6090)	336.30	n (P-7963/92; A-1026)
240.1530	am	(P-15203/92; A-6090)	336.40	n (P-7963/92; A-1026)
240.1535	am	(P-15203/92; A-6090)	336.50	n (P-7963/92; A-1026)
240.1540	am	(P-15203/92; A-6090)	336.60	n (P-7963/92; A-1026)
240.1545	am	(P-15203/92; A-6090)	336.70	n (P-7963/92; A-1026)
240.1550	am	(P-15203/92; A-6090)	336.80	n (P-7963/92; A-1026)
240.1555	am	(P-15203/92; A-6090)	336.90	n (P-7963/92; A-1026)
240.1560	am	(P-15203/92; A-6090)	336.100	n (P-7963/92; A-1026)
240.1565	am	(P-15203/92; A-6090)	336.110	n (P-7963/92; A-1026)
240.1570	am	(P-15203/92; A-6090)	336.120	n (P-7963/92; A-1026)
240.1575	am	(P-15203/92; A-6090)	336.130	n (P-7963/92; A-1026)
240.1580	am	(P-15203/92; A-6090)	336.140	n (P-7963/92; A-1026)
240.1590	am	(P-15203/92; A-6090)	336.150	n (P-7963/92; A-1026)
240.1800	am	(P-15203/92; A-6090)	336.160	n (P-7963/92; A-1026)
240.1850	am	(P-15203/92; A-6090)	336.170	n (P-7963/92; A-1026)
240.2020	am	(P-15203/92; A-6090)	337.10	n (P-7999/92; A-1046)
240.2050	am	(P-15203/92; A-6090)	337.20	n (P-7999/92; A-1046)
302.20	am	(P-7565/92; A-274)	337.30	n (P-7999/92; A-1046)
302.310	am	(P-2460) (E-2513)	337.40	n (P-7999/92; A-1046)
304.2	am	(P-7545/92; A-251)	337.50	n (P-7999/92; A-1046)
309.1	r	(P-7982/92; A-1044)	337.60	n (P-7999/92; A-1046)
309.2	r	(P-7982/92; A-1044)	337.70	n (P-7999/92; A-1046)
309.3	r	(P-7982/92; A-1044)	337.80	n (P-7999/92; A-1046)
309.4	r	(P-7982/92; A-1044)	337.90	n (P-7999/92; A-1046)
309.5	r	(P-7982/92; A-1044)	337.100	n (P-7999/92; A-1046)
309.6	r	(P-7982/92; A-1044)	337.110	n (P-7999/92; A-1046)
309.7	r	(P-7982/92; A-1044)	337.120	n (P-7999/92; A-1046)
309.8	r	(P-7982/92; A-1044)	337.130	n (P-7999/92; A-1046)
309.9	r	(P-7982/92; A-1044)	337.140	n (P-7999/92; A-1046)
309.10	r	(P-7982/92; A-1044)	337.150	n (P-7999/92; A-1046)
309.11	r	(P-7982/92; A-1044)	337.160	n (P-7999/92; A-1046)
309.12	r	(P-7982/92; A-1044)	337.170	n (P-7999/92; A-1046)
309.13	r	(P-7982/92; A-1044)	337.180	n (P-7999/92; A-1046)
309.14	r	(P-7982/92; A-1044)	337.190	n (P-7999/92; A-1046)
309.15	r	(P-7982/92; A-1044)	337.200	n (P-7999/92; A-1046)
309.16	r	(P-7982/92; A-1044)	337.210	n (P-7999/92; A-1046)
309.17	r	(P-7982/92; A-1044)	337.220	n (P-7999/92; A-1046)
309.18	r	(P-7982/92; A-1044)	337.230	n (P-7999/92; A-1046)
309.19	r	(P-7982/92; A-1044)	337.240	n (P-7999/92; A-1046)
309.20	r	(P-7982/92; A-1044)	337.250	n (P-7999/92; A-1046)
309.21	r	(P-7982/92; A-1044)	377.2	am (P-7553/92; A-259)
309.22	r	(P-7982/92; A-1044)	377.4	am (P-7553/92; A-259)
309.23	r	(P-7982/92; A-1044)	378.1	r (P-7561/92; A-27

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TITLE 89 (CONT'D)		SECTIONS AFFECTED INDEX			
378.3	r	(P-7561/92; A-272)	1200.Ap.A	am	(P-15354/92; A-1137)
378.4	r	(P-7561/92; A-272)			
402.15	am	(P-11707/92; A-267)			
505.5	am	(P-1731)			
505.10	am	(P-1731)	10.10	am	(P-6418)
505.30	am	(P-1731)	10.20	am	(P-6418)
505.40	am	(P-1731)	10.30	am	(P-6418)
505.50	am	(P-1731)	10.40	am	(P-6418)
505.60	am	(P-1731)	10.50	am	(P-6418)
505.70	am	(P-1731)	10.60	am	(P-6418)
505.80	am	(P-1731)	10.70	am	(P-6418)
505.90	am	(P-1731)	10.80	am	(P-6418)
505.100	am	(P-1731)	10.90	n	(P-6418)
505.200	n	(P-947)	67.10	n	(P-1767)
505.300	n	(P-20088/92; A-6244)	67.20	n	(P-1767)
505.400	am	(P-14189/92; A-3895)	67.30	n	(P-1767)
505.500	am	(P-14189/92; A-3895)	67.40	n	(P-1767)
505.600	am	(P-10403/92; A-149)	67.50	n	(P-1767)
505.700	am	(P-10403/92; A-149)	67.60	n	(P-1767)
505.800	am	(P-10403/92; A-149)	67.70	n	(P-1767)
505.900	n	(P-952; W-3686)	67.80	n	(P-1767)
506.000	am	(P-1375; W-3687)	67.90	n	(P-1767)
506.100	am	(P-1375; W-3687)	67.100	n	(P-1767)
506.200	am	(P-943)	67.110	n	(P-1767)
506.300	am	(P-18947/92; A-6256)	67.120	n	(P-1767)
506.400	am	(P-15065/92; A-3675)	67.130	n	(P-1767)
506.500	am	(P-15065/92; A-3675)	67.140	n	(P-1767)
506.600	am	(P-15065/92; A-3675)	67.Ex.A	n	(P-1767)
506.700	am	(P-15065/92; A-3675)	77.10	n	(P-1789)
506.800	r	(P-10397/92; A-425)	77.20	n	(P-1789)
506.900	am	(P-77; A-6260)	77.30	n	(P-1789)
507.000	am	(P-77; A-6260)	77.40	n	(P-1789)
507.100	am	(P-77; A-6260)	77.50	n	(P-1789)
507.200	am	(P-18759/92; A-6248)	77.60	n	(P-1789)
507.300	am	(E-6886)	77.70	n	(P-1789)
507.400	n	(E-6886)	77.80	n	(P-1789)
507.500	n	(E-6886)	77.90	n	(P-1789)
507.600	n	(E-6886)	77.100	n	(P-1789)
507.700	n	(E-6886)	77.110	n	(P-1789)
507.800	n	(E-6886)	77.120	n	(P-1789)
507.900	am	(P-15354/92; A-1137)	77.130	n	(P-1789)
508.000	am	(P-15354/92; A-1137)	77.140	n	(P-1789)
508.100	am	(P-15354/92; A-1137)	77.Ex.A	n	(P-1789)
508.200	am	(P-15354/92; A-1137)	440.520	am	(P-15835/92; A-3530)
508.300	am	(P-15354/92; A-1137)	442.435	am	(P-15845/92; A-3540)
508.400	am	(P-15354/92; A-1137)	451.10	am	(P-3110)
508.500	am	(P-15354/92; A-1137)	451.15	am,#	(P-3110)
508.600	am	(P-15354/92; A-1137)	451.20	am	(P-3110)
508.700	am	(P-15354/92; A-1137)	451.25	am	(P-3110)
508.800	am	(P-15354/92; A-1137)	451.50	#	(P-3110)
508.900	am	(P-15354/92; A-1137)	451.50	#	(P-3110)
509.000	am	(P-15354/92; A-1137)	451.50	#	(P-3110)
509.100	am	(P-15354/92; A-1137)	451.50	#	(P-3110)

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451.60	am	(P-3110)	704.100	n	(P-17244/92; A-4494)
451.70	am	(P-3110)	704.110	n	(P-17244/92; A-4494)
451.80	am	(P-3110)	704.120	n	(P-17244/92; A-4494)
451.90	am	(P-3110)	704.130	n	(P-17244/92; A-4494)
451.100	am	(P-3110)	704.140	n	(P-17244/92; A-4494)
451.110	am	(P-3110)	704.150	n	(P-17244/92; A-4494)
451.120	am	(P-3110)	704.Ap.A	n	(P-17244/92; A-4494)
451.130	am	(P-3110)	1001.10	am	(P-19761/92; A-6274)
451.140	am	(P-3110)	1001.20	am	(P-19761/92; A-6274)
451.150	am	(P-3110)	1001.100	am	(P-19761/92; A-6274)
451.160	am	(P-3110)	1001.110	am	(P-19761/92; A-6274)
451.Ap.F	am	(P-3110)	1001.220	am	(P-19761/92; A-6274)
451.II.C	n	(P-3110)	1001.300	am	(P-19761/92; A-6274)
451.II.D	n	(P-3110)	1001.310	am	(P-19761/92; A-6274)
453.10	n	(P-2186)	1001.320	am	(P-19761/92; A-6274)
453.20	n	(P-2186)	1001.330	am	(P-19761/92; A-6274)
453.30	n	(P-2186)	1001.340	am	(P-19761/92; A-6274)
522.20	am	(P-981)	1001.350	am	(P-19761/92; A-6274)
522.30	am	(P-981)	1001.360	am	(P-19761/92; A-6274)
522.50	am	(P-981)	1001.400	am	(P-19761/92; A-6274)
522.80	am	(P-981)	1001.410	am	(P-19761/92; A-6274)
522.130	am	(P-981)	1001.420	am	(P-19761/92; A-6274)
522.130	r	(P-981)	1001.430	am	(P-19761/92; A-6274)
522.130	n	(P-981)	1001.440	am	(P-19761/92; A-6274)
522.150	am	(P-981)	1001.450	am	(P-19761/92; A-6274)
522.200	am	(P-981)	1001.460	am	(P-19761/92; A-6274)
522.210	am	(P-981)	1001.470	am	(P-19761/92; A-6274)
522.II.J	n	(P-981)	1001.485	am	(P-19761/92; A-6274)
700.10	n	(P-17235/92; A-4484)	1001.500	n	(P-1758) (E-2047)
700.20	n	(P-17235/92; A-4484)	1001.510	n	(P-1758) (E-2047)
700.30	n	(P-17235/92; A-4484)	1001.520	n	(P-1758) (E-2047)
700.40	n	(P-17235/92; A-4484)	1001.530	n	(P-1758) (E-2047)
700.50	n	(P-17235/92; A-4484)	1001.540	n	(P-1758) (E-2047)
700.60	n	(P-17235/92; A-4484)	1030.16	n	(P-956) (E-1219)
700.70	n	(P-17235/92; A-4484)	1030.17	n	(P-1752)
700.80	n	(P-17235/92; A-4484)	1030.18	n	(P-956) (E-1219)
700.90	n	(P-17235/92; A-4484)	1030.115	am	(P-17229/92; A-2025)
700.100	n	(P-17235/92; A-4484)	1040.20	am	(P-2128)
700.110	n	(P-17235/92; A-4484)	1040.101	am	(P-1747)
704.10	n	(P-17244/92; A-4494)	1040.102	n	(P-2856)
704.20	n	(P-17244/92; A-4494)	1070.100	am	(P-2863)
704.30	n	(P-17244/92; A-4494)	1360.40	am	(P-1685)
704.40	n	(P-17244/92; A-4494)	2520.26	r	(P-566)
704.50	n	(P-17244/92; A-4494)	2520.105	n	(P-542)
704.60	n	(P-17244/92; A-4494)	2520.105	n	(P-566)
704.70	n	(P-17244/92; A-4494)	2520.110	n	(P-542)
704.80	n	(P-17244/92; A-4494)	2520.110	r	(P-566)
704.90	n	(P-17244/92; A-4494)	2520.200	n	(P-542)
			2520.200	r	(P-566)

